

**OFFICIAL JOURNAL
OF THE
SENATE
OF THE
STATE OF LOUISIANA**
SIXTH DAY'S PROCEEDINGS

**Thirty-Second Regular Session of the Legislature
Under the Adoption of the
Constitution of 1974**

Senate Chamber
State Capitol
Baton Rouge, Louisiana

Tuesday, April 4, 2006

The Senate was called to order at 3:00 o'clock P.M., by Hon. Donald E. Hines, President of the Senate.

ROLL CALL

The roll being called, the following members answered to their names:

PRESENT

Mr. President	Ellington	McPherson
Adley	Fields	Michot
Amedee	Fontenot	Mount
Bajoie	Gautreaux B	Murray
Barham	Gautreaux N	Nevers
Boasso	Heitmeier	Quinn
Broome	Hollis	Romero
Cain	Jackson	Schedler
Chaisson	Jones	Shepherd
Cheek	Kostelka	Smith
Cravins	Lentini	Theunissen
Duplessis	Malone	Ulló
Dupre	Marionneau	
Total - 38		

ABSENT

Dardenne
Total - 1

The President of the Senate announced there were 38 Senators present and a quorum.

Prayer

The prayer was offered by Senator Ellington, following which the Senate joined in pledging allegiance to the flag of the United States of America.

Reading of the Journal

On motion of Senator Ellington, the reading of the Journal was dispensed with and the Journal of yesterday was adopted.

Morning Hour

Rules Suspended

Senator Hines asked for and obtained a suspension of the rules for the purpose of taking up at this time.

Introduction of Senate Resolutions

Senator Bajoie asked for and obtained a suspension of the rules for the purpose of introducing and reading the following Senate Resolutions a first and second time and acting upon them as follows:

SENATE RESOLUTION NO. 11—

BY SENATORS HINES, ADLEY, AMEDEE, BAJOIE, BARHAM, BOASSO, BROOME, CAIN, CHAISSON, CHEEK, CRAVINS, DARDENNE, DUPLESSIS, DUPRE, ELLINGTON, FIELDS, FONTENOT, B. GAUTREAU, N. GAUTREAU, HEITMEIER, HOLLIS, JACKSON, JONES, KOSTELKA, LENTINI, MALONE, MARIONNEAU, MCPHERSON, MICHOT, MOUNT, MURRAY, NEVERS, QUINN, ROMERO, SCHEDLER, SHEPHERD, SMITH, THEUNISSEN AND ULLO
A RESOLUTION

To commend and congratulate the Louisiana State University men's basketball team and coaching staff on an outstanding season and for reaching the 2006 National Collegiate Athletic Association (NCAA) Final Four in Indianapolis, Indiana.

On motion of Senator Hines, the resolution was read by title and adopted.

**Introduction of Senate Bills
and Joint Resolutions**

Senator Bajoie asked for and obtained a suspension of the rules for the purpose of introducing and reading the following Senate Bills and Joint Resolutions a first and second time and referring them to committee.

SENATE BILL NO. 640—

BY SENATOR DUPLESSIS

AN ACT

To enact R.S. 33:4711.1, relative to the sale of surplus movable property; to authorize Internet sales by political subdivisions; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Senate and Governmental Affairs.

Introduction of Senate Resolutions

Senator Bajoie asked for and obtained a suspension of the rules for the purpose of introducing and reading the following Senate Resolutions a first and second time and acting upon them as follows:

SENATE RESOLUTION NO. 12—

BY SENATOR CHEEK

A RESOLUTION

To commend and congratulate Daisy Richardson Ross upon the occasion of her ninetieth birthday celebration on April 20, 2006.

On motion of Senator Cheek, the resolution was read by title and adopted.

SENATE RESOLUTION NO. 13—

BY SENATOR KOSTELKA

A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana upon the death of Lucy Inez "Nana" Vines Spruell.

On motion of Senator Kostelka, the resolution was read by title and adopted.

**Senate Resolutions
on Second Reading**

The following Senate Resolutions were read and acted upon as follows:

SENATE RESOLUTION NO. 10—

BY SENATORS ADLEY, AMEDEE, BAJOIE, BARHAM, BOASSO, BROOME, CAIN, CHAISSON, CHEEK, CRAVINS, DARDENNE, DUPLESSIS, DUPRE, ELLINGTON, FIELDS, FONTENOT, B. GAUTREAU, N. GAUTREAU, HEITMEIER, HINES, HOLLIS, JACKSON, JONES, KOSTELKA, LENTINI, MALONE, MARIONNEAU, MCPHERSON, MICHOT, MOUNT, MURRAY, NEVERS, QUINN, ROMERO, SCHEDLER, SHEPHERD, SMITH, THEUNISSEN AND ULLO
A RESOLUTION

To welcome the delegation of honorable African chiefs from the sovereign Republic of Cameroon upon this historic visit to Louisiana and the United States of America and to commend the humanitarian efforts and good will extended to the people of Louisiana during the crisis of Hurricane Katrina.

April 4, 2006

On motion of Senator Bajoie, the resolution was read by title and returned to the Calendar, subject to call.

**Senate Concurrent Resolutions
on Second Reading**

The following Senate Concurrent Resolutions were read and acted upon as follows:

**SENATE CONCURRENT RESOLUTION NO. 17—
BY SENATOR MURRAY**

A CONCURRENT RESOLUTION

To direct law enforcement agencies within the metropolitan New Orleans area that seized firearms lawfully in the possession of citizens during the hurricane to develop and implement a plan for the return of such firearms to the owners.

The resolution was read by title. Senator Murray moved to adopt the Senate Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fontenot	Mount
Adley	Gautreaux B	Murray
Barham	Heitmeier	Nevers
Broome	Hollis	Quinn
Cain	Jackson	Romero
Chaisson	Kostelka	Schedler
Cheek	Lentini	Smith
Cravins	Malone	Theunissen
Dupre	Marionneaux	Ullo
Ellington	McPherson	
Fields	Michot	
Total - 31		

NAYS

Total - 0

ABSENT

Amedee	Dardenne	Jones
Bajoie	Duplessis	Shepherd
Boasso	Gautreaux N	
Total - 8		

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent to the House.

**SENATE CONCURRENT RESOLUTION NO. 18—
BY SENATOR NEVERS**

A CONCURRENT RESOLUTION

To urge and request the State Board of Elementary and Secondary Education to consider pay increases for school support personnel.

The resolution was read by title. Senator Nevers moved to adopt the Senate Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	Michot
Adley	Fontenot	Mount
Bajoie	Gautreaux B	Murray
Barham	Heitmeier	Nevers
Broome	Hollis	Quinn
Cain	Jackson	Romero
Chaisson	Jones	Schedler

Cheek	Kostelka	Smith
Cravins	Lentini	Theunissen
Duplessis	Malone	Ullo
Dupre	Marionneaux	
Ellington	McPherson	
Total - 34		

NAYS

Total - 0

ABSENT

Amedee	Dardenne	Shepherd
Boasso	Gautreaux N	
Total - 5		

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent to the House.

Messages from the House

The following Messages from the House were received and read as follows:

Message from the House

**ASKING CONCURRENCE IN
HOUSE BILLS AND JOINT RESOLUTIONS**

April 4, 2006

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed and asks your concurrence in the following House Bills and Joint Resolutions:

**HOUSE BILL NO. 86—
BY REPRESENTATIVE KENNEY AND SENATOR ELLINGTON
AN ACT**

To enact R.S. 33:451, relative to mayors' courts; to establish a mayor's court in the town of Clarks, Caldwell Parish; to provide for the territorial jurisdiction of the court; to grant the mayor power, authority, and jurisdiction; and to provide for related matters.

**HOUSE BILL NO. 212—
BY REPRESENTATIVE TOOMY
AN ACT**

To amend and reenact R.S. 16:65, relative to judicial enforcement districts; to provide for a district attorney in a federally declared disaster district to borrow money to finance the daily operations of his office; and to provide for related matters.

**HOUSE BILL NO. 713—
BY REPRESENTATIVE GALLOT
AN ACT**

To amend and reenact R.S. 13:1904(C) and (D), relative to the destruction of certain records in the City Court of Ruston; to authorize the clerk of court to destroy certain civil and criminal records; to provide for time limitations in the destruction of records; to provide for requirements prior to destruction; and to provide for related matters.

**HOUSE BILL NO. 533—
BY REPRESENTATIVE RITCHIE AND SENATOR NEVERS
AN ACT**

To authorize the secretary of the Department of Public Safety and Corrections to rename the correctional facility located at Angie, Louisiana, as the Rayburn Correctional Center; and to provide for related matters.

HOUSE BILL NO. 611—

BY REPRESENTATIVE R. CARTER
AN ACT

To amend and reenact R.S. 14:35, relative to simple battery; to increase the amount of the fine for the offense of simple battery; and to provide for related matters.

HOUSE BILL NO. 614—

BY REPRESENTATIVE R. CARTER
AN ACT

To amend and reenact R.S. 14:56(B), relative to simple criminal damage to property; to increase the fine for the crime of simple criminal damage to property when the value of the property damaged is less than five hundred dollars; and to provide for related matters.

HOUSE BILL NO. 612—

BY REPRESENTATIVE R. CARTER
AN ACT

To amend and reenact R.S. 14:67(B)(3), relative to theft; to increase the fine for theft when the value of the thing taken is less than three hundred dollars; and to provide for related matters.

HOUSE BILL NO. 613—

BY REPRESENTATIVE R. CARTER
AN ACT

To amend and reenact R.S. 14:69(B)(3), relative to illegal possession of stolen things; to increase the fine when the amount of the stolen things is less than three hundred dollars; and to provide for related matters.

HOUSE BILL NO. 635—

BY REPRESENTATIVE BURNS
AN ACT

To amend and reenact Code of Criminal Procedure Article 905.4(A)(1), relative to sentencing in capital cases; to add certain crimes to the enumeration of aggravating circumstances; and to provide for related matters.

HOUSE BILL NO. 865—

BY REPRESENTATIVE MARTINY
AN ACT

To amend and reenact R.S. 14:64.3, relative to commission of the crimes of armed robbery or attempted armed robbery when the dangerous weapon used is a firearm; to provide relative to additional penalties; and to provide for related matters.

Respectfully submitted,
ALFRED W. SPEER

Clerk of the House of Representatives

**House Bills and Joint Resolutions
on First Reading**

The following House Bills and Joint Resolutions were read a first time by their titles and placed on the Calendar for their second reading:

HOUSE BILL NO. 86—

BY REPRESENTATIVE KENNEY AND SENATOR ELLINGTON
AN ACT

To enact R.S. 33:451, relative to mayors' courts; to establish a mayor's court in the town of Clarks, Caldwell Parish; to provide for the territorial jurisdiction of the court; to grant the mayor power, authority, and jurisdiction; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 212—

BY REPRESENTATIVE TOOMY
AN ACT

To amend and reenact R.S. 16:65, relative to judicial enforcement districts; to provide for a district attorney in a federally declared disaster district to borrow money to finance the daily operations of his office; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 533—

BY REPRESENTATIVE RITCHIE AND SENATOR NEVERS
AN ACT

To authorize the secretary of the Department of Public Safety and Corrections to rename the correctional facility located at Angie, Louisiana, as the Rayburn Correctional Center; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 611—

BY REPRESENTATIVE R. CARTER
AN ACT

To amend and reenact R.S. 14:35, relative to simple battery; to increase the amount of the fine for the offense of simple battery; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 612—

BY REPRESENTATIVE R. CARTER
AN ACT

To amend and reenact R.S. 14:67(B)(3), relative to theft; to increase the fine for theft when the value of the thing taken is less than three hundred dollars; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 613—

BY REPRESENTATIVE R. CARTER
AN ACT

To amend and reenact R.S. 14:69(B)(3), relative to illegal possession of stolen things; to increase the fine when the amount of the stolen things is less than three hundred dollars; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 614—

BY REPRESENTATIVE R. CARTER
AN ACT

To amend and reenact R.S. 14:56(B), relative to simple criminal damage to property; to increase the fine for the crime of simple criminal damage to property when the value of the property damaged is less than five hundred dollars; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 635—

BY REPRESENTATIVE BURNS
AN ACT

To amend and reenact Code of Criminal Procedure Article 905.4(A)(1), relative to sentencing in capital cases; to add certain crimes to the enumeration of aggravating circumstances; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 713—

BY REPRESENTATIVE GALLOT
AN ACT

To amend and reenact R.S. 13:1904(C) and (D), relative to the destruction of certain records in the City Court of Ruston; to authorize the clerk of court to destroy certain civil and criminal records; to provide for time limitations in the destruction of records; to provide for requirements prior to destruction; and to provide for related matters.

The bill was read by title; lies over under the rules.

April 4, 2006

HOUSE BILL NO. 865—
BY REPRESENTATIVE MARTINY
AN ACT

To amend and reenact R.S. 14:64.3, relative to commission of the crimes of armed robbery or attempted armed robbery when the dangerous weapon used is a firearm; to provide relative to additional penalties; and to provide for related matters.

The bill was read by title; lies over under the rules.

**House Bills and Joint Resolutions
on Second Reading to be Referred**

The following House Bills and Joint Resolutions were read by title and referred to committees as follows:

HOUSE BILL NO. 15—
BY REPRESENTATIVE MARTINY
AN ACT

To amend and reenact R.S. 14:32.8(A)(2)(c), relative to third degree feticide; to provide that one element of the offense includes the offender being under the influence of controlled dangerous substances listed in schedules provided by law; to delete reference to general descriptions of drugs; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Judiciary C.

HOUSE BILL NO. 26—
BY REPRESENTATIVE MARTINY
AN ACT

To amend and reenact R.S. 14:108(A) and (B)(1)(c), relative to the crime of resisting an officer; to provide that resisting an officer making a lawful detention is an element of the crime of resisting an officer; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Judiciary C.

HOUSE BILL NO. 73—
BY REPRESENTATIVE JANE SMITH
AN ACT

To amend and reenact Code of Criminal Procedure Article 499(A), relative to court-ordered AIDS testing for persons charged with a sex offense; to provide for testing pursuant to court order; to expand the definition of sex offenses warranting AIDS testing; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Judiciary C.

HOUSE BILL NO. 77—
BY REPRESENTATIVE BRUCE
AN ACT

To enact Code of Criminal Procedure Article 814(A)(14.2), relative to responsive verdicts; to provide for responsive verdicts for aggravated second degree battery; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Judiciary C.

HOUSE BILL NO. 81—
BY REPRESENTATIVE BURNS
AN ACT

To amend and reenact R.S. 14:30(A)(1) and 30.1(A)(2)(a), relative to criminal homicide; to add certain crimes to the list of enumerated felonies which raise a homicide to the grades of first or second degree murder; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Judiciary C.

HOUSE BILL NO. 101—
BY REPRESENTATIVE MARTINY
AN ACT

To amend and reenact R.S. 14:67.2(B)(2) and (3), 67.5(B)(2) and (3), 67.9(2) and (3), 67.10(B)(2) and (3), 67.13(B)(2) and (3), 68.2(C)(2) and (3), 68.7(B)(1)(b), 70.2(C)(3) and (4), 70.4(E)(2) and (3), 71(D) and (E), 143(C)(3) and (10), and Code of Criminal Procedure Article 211(A)(introductory paragraph), relative to the crime of theft; to provide for a uniform system of gradations based upon the value of the goods taken for the different crimes of theft defined by Louisiana law; to provide for a uniform system of gradations based upon the value of the goods taken for certain crimes which are misappropriations without violence and defined by Louisiana law; to provide for the adoption of certain ordinances comparable to the crime of theft of animals and theft of an alligator and incorporating the gradation scale; to provide for the issuance of a summons instead of an arrest warrant in certain cases of theft or illegal possession of stolen things; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Judiciary C.

HOUSE BILL NO. 102—
BY REPRESENTATIVE MARTINY
AN ACT

To amend and reenact R.S. 14:32.6(A)(2), relative to the crime of first degree feticide; to provide that the crime is committed when the offender is engaged in the perpetration or attempted perpetration of certain additional crimes; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Judiciary C.

HOUSE BILL NO. 179—
BY REPRESENTATIVE MARTINY
AN ACT

To amend and reenact R.S. 49:191(3) and to repeal R.S. 49:191(1)(j), relative to the Department of Public Safety and Corrections, including provisions to provide for the re-creation of the Department of Public Safety and Corrections and the statutory entities made a part of the department by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Judiciary B.

HOUSE BILL NO. 187—
BY REPRESENTATIVE MARTINY
AN ACT

To amend and reenact R.S. 15:905, relative to education and work opportunities for juvenile offenders; to provide that the office of youth services has control over all aspects of juvenile offender training and education; to provide that juvenile offenders may be compensated for work performed during work training programs; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Judiciary B.

HOUSE BILL NO. 211—
BY REPRESENTATIVE JOHNS
AN ACT

To amend and reenact R.S. 40:964, Schedule III(D), to enact R.S. 40:964, Schedule I(D)(3), and to repeal R.S. 40:964, Schedule II(D)(1) and 964, Schedule V(B)(1), relative to the Uniform Controlled Dangerous Substances Law; to change the schedule classification of Methaqualone and Buprenorphine; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Judiciary C.

HOUSE BILL NO. 216—

BY REPRESENTATIVE JOHNS
AN ACT

To amend and reenact R.S. 40:964, Schedule IV, relative to the Controlled Dangerous Substances Law; to organize the drugs in Schedule IV to be consistent with the federal controlled substances designations; to add several substances which are listed in Schedule IV federally but not in Louisiana; to delete Nalbuphine from Schedule IV consistent with federal schedule; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Judiciary C.

HOUSE BILL NO. 332—

BY REPRESENTATIVES ALARIO AND SALTER
AN ACT

To amend and reenact R.S. 39:371, relative to the cash management review board; to authorize designees of members to serve on said board; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Finance.

HOUSE BILL NO. 333—

BY REPRESENTATIVES ALARIO AND SALTER
AN ACT

To repeal Subpart F of Part I of Chapter 16 of Subtitle III of Title 39 of the Louisiana Revised Statutes of 1950, comprised of R.S. 39:1493.1 through 1493.3, relative to the Commission for Review and Improvement of Services Procurement.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Finance.

HOUSE BILL NO. 425—

BY REPRESENTATIVE CAZAYOUX
AN ACT

To amend and reenact R.S. 14:62.1(B) and (C), relative to simple burglary of a pharmacy; to amend the criminal penalties for simple burglary of a pharmacy; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Judiciary C.

HOUSE BILL NO. 465—

BY REPRESENTATIVES ALARIO AND SALTER
AN ACT

To repeal R.S. 39:1503.1 and 1595.7, relative to procurement; to repeal provisions for certain incentives related to participation in the mentor-protégé program, which program was repealed in 2001.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Finance.

HOUSE BILL NO. 661—

BY REPRESENTATIVES ALARIO AND SALTER
AN ACT

To amend and reenact R.S. 39:1482(K), relative to professional, personal, consulting, and social services procurement; to exempt certain contracts with a higher education entity from procurement requirements; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Finance.

HOUSE BILL NO. 774—

BY REPRESENTATIVES ALARIO AND SALTER
AN ACT

To amend and reenact R.S. 39:1514(A)(1)(d), relative to public contracts; to provide for certain contracts of institutions of higher education under the authority of grants or joint agreements; to provide for the duration of such contracts, grants, or agreements; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Finance.

HOUSE BILL NO. 947—

BY REPRESENTATIVES ALARIO AND SALTER
AN ACT

To amend and reenact R.S. 39:1678.1(C), relative to the Louisiana Procurement Code; to provide for certain actions to which claims for damages do not apply; to provide for an effective date; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Finance.

HOUSE BILL NO. 1127—

BY REPRESENTATIVES ALARIO AND SALTER
AN ACT

To appropriate funds from certain sources to be allocated to designated agencies and purposes in specific amounts for the making of supplemental appropriations for said agencies and purposes for the 2005-2006 Fiscal Year; and to provide for related matters.

On motion of Senator Bajoie, the bill was read by title and referred to the Committee on Finance.

House Concurrent Resolutions
on Second Reading

The following House Concurrent Resolutions were read and acted upon as follows:

HOUSE CONCURRENT RESOLUTION NO. 47—

BY REPRESENTATIVE DANIEL
A CONCURRENT RESOLUTION

To memorialize the United States Congress to take such actions as are necessary to continue funding and operation of the United States Department of Agriculture's Agricultural Research Service located in Baton Rouge, Louisiana.

The resolution was read by title. Senator Fields moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	Michot
Adley	Fontenot	Mount
Bajoie	Gautreaux B	Murray
Barham	Heitmeier	Nevers
Broome	Hollis	Quinn
Cain	Jackson	Romero
Chaisson	Jones	Schedler
Cheek	Kostelka	Shepherd
Cravins	Lentini	Smith
Duplessis	Malone	Theunissen
Dupre	Marionneaux	Ullo
Ellington	McPherson	
Total - 35		

NAYS

Total - 0

ABSENT

Amedee	Dardenne
Boasso	Gautreaux N
Total - 4	

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

April 4, 2006

HOUSE CONCURRENT RESOLUTION NO. 49—
BY REPRESENTATIVE DOVE
A CONCURRENT RESOLUTION

To urge and request the Coastal Protection and Restoration Authority to increase the focus on barrier islands in the overall plan for coastal restoration and hurricane protection.

The resolution was read by title. Senator Dupre moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Fields Michot
Adley Fontenot Mount
Bajoie Gautreaux B Murray
Barham Heitmeier Nevers
Broome Hollis Quinn
Cain Jackson Romero
Chaisson Jones Schedler
Cheek Kostelka Shepherd
Cravins Lentini Smith
Duplessis Malone Theunissen
Dupre Marionneaux Ullo
Ellington McPherson
Total - 35

NAYS

Total - 0

ABSENT

Amedee Dardenne
Boasso Gautreaux N
Total - 4

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

HOUSE CONCURRENT RESOLUTION NO. 51—
BY REPRESENTATIVE GLOVER
A CONCURRENT RESOLUTION

To commend Mr. Mack McCarter of Shreveport for his compassion and commitment to service.

On motion of Senator Bajoie, the resolution was read by title and returned to the Calendar, subject to call.

HOUSE CONCURRENT RESOLUTION NO. 59—
BY REPRESENTATIVE MORRELL
A CONCURRENT RESOLUTION

To urge and request the Federal Emergency Management Agency (FEMA) to negotiate with displaced citizens on housing options that include replacement and repair costs.

The resolution was read by title. Senator Murray moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Fields Michot
Adley Fontenot Mount
Bajoie Gautreaux B Murray
Barham Heitmeier Nevers
Broome Hollis Quinn
Cain Jackson Romero
Chaisson Jones Schedler
Cheek Kostelka Shepherd
Cravins Lentini Smith

Duplessis
Dupre
Ellington
Total - 35

Malone
Marionneaux
McPherson

Theunissen
Ullo

NAYS

Total - 0

ABSENT

Amedee
Boasso
Total - 4

Dardenne
Gautreaux N

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

HOUSE CONCURRENT RESOLUTION NO. 61—
BY REPRESENTATIVE GEYMANN
A CONCURRENT RESOLUTION

To urge and request the Department of Wildlife and Fisheries to consider increasing the age at which minors can receive firearm and hunter safety education certification.

The resolution was read by title. Senator Theunissen moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Fields Mount
Adley Fontenot Murray
Bajoie Gautreaux B Nevers
Barham Heitmeier Quinn
Broome Hollis Romero
Cain Jackson Schedler
Chaisson Jones Shepherd
Cheek Kostelka Smith
Cravins Lentini Theunissen
Duplessis Marionneaux Ullo
Dupre McPherson
Ellington Michot
Total - 34

NAYS

Malone
Total - 1

ABSENT

Amedee
Boasso
Total - 4

Dardenne
Gautreaux N

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

HOUSE CONCURRENT RESOLUTION NO. 62—
BY REPRESENTATIVE DOVE
A CONCURRENT RESOLUTION

To memorialize the United States Congress to take such actions as are necessary to amend the Stafford Act to allow the use of emergency funds under the Federal Emergency Management Agency for stabilization and restoration of barrier islands.

The resolution was read by title. Senator Dupre moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	McPherson
Adley	Fontenot	Michot
Bajoie	Gautreaux B	Mount
Barham	Gautreaux N	Murray
Broome	Heitmeier	Nevers
Cain	Hollis	Quinn
Chaisson	Jackson	Romero
Cheek	Jones	Schedler
Cravins	Kostelka	Shepherd
Duplessis	Lentini	Smith
Dupre	Malone	Theunissen
Ellington	Marionneaux	Ullo

Total - 36

NAYS

Total - 0

ABSENT

Amedee	Boasso	Dardenne
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Total - 3

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

HOUSE CONCURRENT RESOLUTION NO. 63—
BY REPRESENTATIVE JOHN SMITH
A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to review and consider eliminating provisions of law which reduce social security benefits for those receiving benefits from federal, state, or local government retirement systems.

The resolution was read by title. Senator Theunissen moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	McPherson
Adley	Fontenot	Michot
Bajoie	Gautreaux B	Mount
Barham	Gautreaux N	Murray
Broome	Heitmeier	Nevers
Cain	Hollis	Quinn
Chaisson	Jackson	Romero
Cheek	Jones	Schedler
Cravins	Kostelka	Shepherd
Duplessis	Lentini	Smith
Dupre	Malone	Theunissen
Ellington	Marionneaux	Ullo

Total - 36

NAYS

Total - 0

ABSENT

Amedee	Boasso	Dardenne
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Total - 3

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON ENVIRONMENTAL QUALITY

Senator Fontenot, Chairman on behalf of the Committee on Environmental Quality, submitted the following report:

April 4, 2006

To the President and Members of the Senate:

I am directed by your Committee on Environmental Quality to submit the following report:

SENATE BILL NO. 58—
BY SENATOR FONTENOT

AN ACT

To amend and reenact R.S. 30:2286.1(A) and (B), relative to environmental quality; to provide relative to the voluntary investigation and remediation of immovable property; to provide for a work plan; to provide for submittal and review of such plan; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 209—
BY SENATOR FONTENOT

AN ACT

To amend and reenact R.S. 30:2054(B)(9) and to enact R.S. 30:2022(D), relative to environmental quality; to authorize the secretary of the Department of Environmental Quality to develop general permits; to provide for limitations on such authority; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 615—

BY SENATORS FONTENOT, BAJOIE, HINES, MOUNT AND NEVERS AND REPRESENTATIVES ALARIO, DEWITT, DORSEY, HAMMETT, JEFFERSON, RICHMOND, RITCHIE AND SALTER

AN ACT

To enact Chapter 23 of Subtitle II of Title 30 of the Louisiana Revised Statutes of 1950, consisting of R.S. 30:2571 through 2588, relative to environmental quality; to create and provide relative to the Mercury Risk Reduction Act; to authorize the secretary of the Department of Environmental Quality to promulgate rules and regulations to carry out the provisions of this Chapter; to provide for definitions; to provide for manufacturer notifications; to provide relative to public disclosure of confidential business information; to provide relative to restrictions on the sale of certain mercury added products; to provide for exemptions and phase outs; to provide relative to labeling of mercury added products; to provide relative to public notification; to provide relative to the collection of mercury added products; to provide relative to disclosure for mercury containing formulated products; to provide relative to the use of elemental mercury; to provide relative to existing inventories of mercury added products; to authorize the Department of Environmental Quality to implement a public education and outreach program; to provide relative to state procurement preferences for low or non-mercury added products; to provide relative to mercury containing devices in water and wastewater systems; to provide for penalties; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
HEULETTE "CLO" FONTENOT
Chairman

REPORT OF COMMITTEE ON AGRICULTURE, FORESTRY, AQUACULTURE AND RURAL DEVELOPMENT

Senator Smith, Chairman on behalf of the Committee on Agriculture, Forestry, Aquaculture, and Rural Development, submitted the following report:

April 4, 2006

April 4, 2006

To the President and Members of the Senate:

I am directed by your Committee on Agriculture, Forestry, Aquaculture, and Rural Development to submit the following report:

SENATE CONCURRENT RESOLUTION NO. 10—

BY SENATOR NEVERS

A CONCURRENT RESOLUTION

To urge and request the Department of Economic Development and the Department of Agriculture and Forestry to promote the use of alternative fuels and provide incentives for companies and consumers who use alternative fuels.

Reported favorably.

SENATE BILL NO. 7—

BY SENATOR NEVERS

AN ACT

To amend and reenact Part XIV-A of Chapter 5 of Title 3 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 3:557.21 and 557.22, relative to agricultural and seafood products; to require state agencies to assist the Department of Economic Development in the development, registration, and licensing of any trademark or label for use in promoting Louisiana agricultural and seafood products; to authorize the Department of Economic Development to sell licenses for such trademarks or labels; to create the Agricultural and Seafood Products Support Fund; to provide for the use of monies in the fund; to require the promulgation of rules and regulations; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 558—

BY SENATOR ELLINGTON

AN ACT

To amend and reenact R.S. 3:4617(C), relative to the prohibition of fraud in the sale of catfish; to provide for changes in the definition of catfish; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
MIKE SMITH
Chairman

**Senate Bills and Joint Resolutions
on Second Reading
Reported by Committees**

The following Senate Bills and Joint Resolutions reported by Committees were taken up and acted upon as follows:

SENATE BILL NO. 32—

BY SENATOR THEUNISSEN

AN ACT

To create the Parishwide School District of the Parish of Cameron, State of Louisiana, and provide for its powers and duties; to provide such district with the power to levy for the year 2006 an ad valorem property tax not to exceed ten mills only for the purpose of giving additional support to the school system in the parish; to provide for the ratification of certain acts of a similar district; and to provide for related matters.

Reported favorably by the Committee on Education. On motion of Senator Ullo, the bill was read by title, ordered engrossed, and passed to a third reading.

SENATE BILL NO. 89—

BY SENATOR DUPRE

AN ACT

To amend and reenact R.S. 38:291(T)(2), relative to the North Lafourche Conservation, Levee and Drainage District; to provide for appointment of members to its board of

commissioners; to provide for an effective date for such appointments; and to provide for related matters.

Reported favorably by the Committee on Transportation, Highways and Public Works. On motion of Senator Ellington, the bill was read by title, ordered engrossed, and passed to a third reading.

SENATE BILL NO. 92—

BY SENATOR ADLEY

AN ACT

To amend and reenact R.S. 34:2303, relative to the Red River Waterway District; to provide for membership to the Red River Waterway Commission; to require one member-at-large on the commission to reside in either Bossier or Caddo parish; and to provide for related matters.

Reported favorably by the Committee on Transportation, Highways and Public Works. On motion of Senator Ellington, the bill was read by title, ordered engrossed, and passed to a third reading.

SENATE BILL NO. 122—

BY SENATOR MURRAY

AN ACT

To enact R.S. 33:2588, relative to municipal employees laid off due to the hurricanes of 2005; to provide a preference for displaced municipal employees; to provide for an effective date; and to provide for related matters.

Reported with amendments by the Committee on Local and Municipal Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Local and Municipal Affairs to Original Senate Bill No. 122 by Senator Murray

AMENDMENT NO. 1

On page 1, line 3, after "employees;" insert "to provide for a termination date after which the preference shall no longer apply;"

AMENDMENT NO. 2

On page 1, between lines 13 and 14, insert the following: "Section 2. The provisions of this Act shall become null and void and of no effect on and after July 1, 2008."

AMENDMENT NO. 3

On page 1, line 14, after "Section" change "2" to "3"

On motion of Senator Fields, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 181—

BY SENATOR JONES

AN ACT

To enact Subpart G of Part II of Chapter 6 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:2892.1 through 2892.9, relative to property adjudicated to a municipality; to provide for the authorization of the city of Monroe to adjudicate property; to provide for notice to the owner; to provide for the applicability to redemptive periods; to provide for a deposit of monies sufficient to cover the expenses of the sale, advertisement, taxes due and other costs associated with the sale; to provide for the sale or transfer of adjudicated property; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Local and Municipal Affairs. On motion of Senator Fields, the bill was read by title, ordered engrossed, and passed to a third reading.

SENATE BILL NO. 186—
BY SENATOR HINES

AN ACT

To amend and reenact R.S. 17:1808(J)(1), relative to registration and licensure of certain postsecondary institutions; to provide for an exemption from the requirements for such registration and licensure; and to provide for related matters.

Reported favorably by the Committee on Education. On motion of Senator Ullo, the bill was read by title, ordered engrossed, and passed to a third reading.

SENATE BILL NO. 214—
BY SENATOR MURRAY

AN ACT

To amend and reenact R.S. 13:2500(C)(1), relative to municipal courts; to provide for penalties for the violation of a municipal ordinance in New Orleans; and to provide for related matters.

Reported favorably by the Committee on Local and Municipal Affairs. On motion of Senator Fields, the bill was read by title, ordered engrossed, and passed to a third reading.

SENATE BILL NO. 389—
BY SENATOR ELLINGTON

AN ACT

To amend and reenact R.S. 48:252(B)(4), relative to bid proposal documents on projects for the Department of Transportation and Development; to provide relative to the fee for such documents; to provide for an effective date; and to provide for related matters.

Reported with amendments by the Committee on Transportation, Highways and Public Works.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways and Public Works to Original Senate Bill No. 389 by Senator Ellington

AMENDMENT NO. 1

On page 1, line 16, after "**documents**" delete "**or plans**" and at the end of the line delete "**an**"

AMENDMENT NO. 2

On page 1, line 17, change "**electronic bidding service**" to "**the department website**"

On motion of Senator Ellington, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 390—
BY SENATOR ELLINGTON

AN ACT

To repeal R.S. 48:250.1, relative to the Department of Transportation and Development's structured training program; to repeal the requirement that construction and maintenance personnel of the department participate in the structured training program.

Reported favorably by the Committee on Transportation, Highways and Public Works. On motion of Senator Ellington, the bill was read by title, ordered engrossed, and passed to a third reading.

SENATE BILL NO. 391—
BY SENATOR ELLINGTON

AN ACT

To amend and reenact R.S. 14:59(A)(4), R.S. 32:169(A) and (B) and 376, R.S. 36:501(C)(1) and 508(A), (B), (C), and (G), R.S. 38:90.4(B)(1) and 1583(B), R.S. 48:1(2) and (19), 92, 211, 223(C), 259, 260, 269, 272, 273, 274, 274.2, 342, 346.1, 381(C)(2)(b)(i), 441, 758(A), 1259, 1271(C), and 1273, and R.S. 51:1259(6), relative to the Department of Transportation and Development; to change the name of the office of highways to

the office of engineering; to provide relative to responsibilities of the department; and to provide for related matters.

Reported favorably by the Committee on Transportation, Highways and Public Works. On motion of Senator Ellington, the bill was read by title, ordered engrossed, and passed to a third reading.

SENATE BILL NO. 394—
BY SENATOR ELLINGTON

AN ACT

To amend and reenact R.S. 48:443(A), relative to expropriation of property by the Department of Transportation and Development; to provide relative to the number of persons making real estate estimates for the department when expropriating property; to decrease the number of such persons; and to provide for related matters.

Reported favorably by the Committee on Transportation, Highways and Public Works. On motion of Senator Ellington, the bill was read by title, ordered engrossed, and passed to a third reading.

SENATE BILL NO. 423—
BY SENATOR THEUNISSEN

AN ACT

To amend and reenact R.S. 17:3398.2(B), relative to advisory boards established by the Board of Supervisors of Community and Technical Colleges; to provide for the creation of an advisory board by the Louisiana Workforce Commission to assist in the development of two-year degree programs in process technology; and to provide for related matters.

Reported favorably by the Committee on Education. On motion of Senator Theunissen, the bill was read by title and withdrawn from the files of the Senate.

SENATE BILL NO. 468—
BY SENATOR SCHEDLER

AN ACT

To amend and reenact Section 3(9)(a) and (b) and (19)(c) and (d) and to enact Section 3(19)(e) of Act No. 180 of the 1984 Regular Session of the Legislature, as amended by Act No. 570 of the 1992 Regular Session of the Legislature and Act No. 562 of the 2003 Regular Session of the Legislature, relative to St. Tammany Parish Hospital Service Districts Nos. 1 and 2; to provide relative to the authority of the boards to enter into certain employment contracts; and to provide for related matters.

Reported favorably by the Committee on Local and Municipal Affairs. On motion of Senator Fields, the bill was read by title, ordered engrossed, and passed to a third reading.

SENATE BILL NO. 469—
BY SENATOR SCHEDLER

AN ACT

To amend and reenact R.S. 33:4575, 4575.1(A) and (C) and 4575.3(7) and R.S. 47:322.37(B)(1), relative to recreational facilities; to rename the East St. Tammany Events Center District to the Northshore Harbor Center District; to provide for term limits for members of the board of commissioners; to provide for membership on the board of commissioners; and to provide for related matters.

Reported with amendments by the Committee on Local and Municipal Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Local and Municipal Affairs to Original Senate Bill No. 469 by Senator Schedler

AMENDMENT NO. 1

On page 2, line 6, change "thirteen" to "**fourteen**"

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AMENDMENT NO. 2

On page 2, line 19, after "Parish" delete "Police Jury" and insert "Council"

AMENDMENT NO. 3

On page 3, between lines 10 and 11 insert the following:
"(12) One member appointed by the state senator for District 1, provided that such senator's district comprises portions of Ward Eight or Ward Nine."

AMENDMENT NO. 4

On page 3, line 19, change "his" to "their"

On motion of Senator Fields, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 488—
BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 39:371, relative to the cash management review board; to authorize designees of members to serve on said board; and to provide for related matters.

Reported favorably by the Committee on Finance. On motion of Senator Heitmeier, the bill was read by title, ordered engrossed, and passed to a third reading.

SENATE BILL NO. 497—
BY SENATOR HEITMEIER

AN ACT

To repeal Subpart F of Part II of Chapter 16 of Subtitle III of Title 39 of the Louisiana Revised Statutes of 1950, comprised of R.S. 39:1493.1 through 1493.3, relative to the Commission for Review and Improvement of Services Procurement; and to provide for related matters.

Reported favorably by the Committee on Finance. On motion of Senator Heitmeier, the bill was read by title, ordered engrossed, and passed to a third reading.

SENATE BILL NO. 503—
BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 39:1496.1(A) and (E)(1)(a) and (b), relative to performance-based energy efficiency contracts; to provide for the adoption of rules and regulations relative to such contracts; to provide for the review process for such contracts; and to provide for related matters.

Reported favorably by the Committee on Finance. On motion of Senator Heitmeier, the bill was read by title, ordered engrossed, and passed to a third reading.

SENATE BILL NO. 508—
BY SENATOR HEITMEIER

AN ACT

To repeal R.S. 39:1503.1 and 1595.7, relative to procurement; to repeal provisions for certain incentives related to participation in the mentor-protégé program which program was repealed in 2001; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Finance. On motion of Senator Heitmeier, the bill was read by title, ordered engrossed, and passed to a third reading.

SENATE BILL NO. 545—
BY SENATOR SCHEDLER

AN ACT

To amend and reenact R.S. 47:322.37, relative to the disposition of certain collections from the sales of services; to provide with respect to the disposition of the avails of the tax on the sales of services in St. Tammany Parish, and to provide for related matters.

Reported favorably by the Committee on Local and Municipal Affairs. On motion of Senator Fields, the bill was read by title, ordered engrossed, and passed to a third reading.

SENATE BILL NO. 589—
BY SENATOR ELLINGTON

AN ACT

To amend and reenact R.S. 48:255(B)(5)(b), relative to bids on contracts for the Department of Transportation and Development; to provide for the rejection of bids; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Transportation, Highways and Public Works. On motion of Senator Ellington, the bill was read by title, ordered engrossed, and passed to a third reading.

SENATE BILL NO. 622—
BY SENATOR ELLINGTON

AN ACT

To enact R.S. 33:1448(S), relative to group insurance; to provide for the payment of group insurance for certain retired sheriffs or deputy sheriffs who retired from the Franklin Parish Sheriffs's Office; and to provide for related matters.

Reported favorably by the Committee on Local and Municipal Affairs. On motion of Senator Fields, the bill was read by title, ordered engrossed, and passed to a third reading.

Senator Ellington in the Chair

Senate Concurrent Resolutions
on Second Reading
Reported by Committees

The following Senate Concurrent Resolutions reported by Committees were taken up and acted upon as follows:

SENATE CONCURRENT RESOLUTION NO. 3—
BY SENATOR HINES

A CONCURRENT RESOLUTION

To continue the Bayou Boeuf Advisory Committee and requires the advisory committee to study and make proposals to the Senate and House Committees on transportation, highways and public works relative to uses of Bayou Boeuf, and the feasibility of the creation of a freshwater district along Bayou Boeuf from Alexandria to Washington in the parishes of Rapides, Avoyelles, and St. Landry.

Reported with amendments by the Committee on Transportation, Highways and Public Works.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways and Public Works to Original Senate Concurrent Resolution No. 3 by Senator Hines

AMENDMENT NO. 1

On page 1, line 2, change "requires" to "to require"

On motion of Senator Ellington, the committee amendment was adopted.

On motion of Senator Ellington, the amended resolution was read by title and returned to the Calendar, subject to call.

Senate Bills and Joint Resolutions on
Third Reading
and Final Passage

The following Senate Bills and Joint Resolutions on Third Reading and Final Passage were taken up and acted upon as follows:

SENATE BILL NO. 57—
BY SENATOR FONTENOT

AN ACT

To amend and reenact R.S. 30:2011(A)(1) and 2052 and to repeal R.S. 30:2011(A)(2), 2053(5), and 2054(B)(7), relative to environmental quality; to remove the jurisdiction of Department of Environmental Quality relative to the regulation of noise pollution; and to provide for related matters.

The bill was read by title. Senator Fontenot moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	McPherson
Adley	Fields	Michot
Bajoie	Fontenot	Mount
Barham	Gautreaux B	Murray
Broome	Gautreaux N	Nevers
Cain	Heitmeier	Quinn
Chaisson	Hollis	Romero
Cheek	Jackson	Shepherd
Cravins	Jones	Smith
Duplessis	Kostelka	Theunissen
Dupre	Malone	Ullo
Total - 33		

NAYS

Lentini	Marionneaux
Total - 2	

ABSENT

Amedee	Dardenne
Boasso	Schedler
Total - 4	

The Chair declared the bill was passed. The title was read and adopted. Senator Fontenot moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 128—
BY SENATOR JONES

AN ACT

To amend and reenact R.S. 15:574.20(A)(1), relative to parole; to provide with respect to the medical parole program; to allow those inmates with contagious diseases to be eligible for medical parole consideration; and to provide for related matters.

Floor Amendments Sent Up

Senator Jones sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Jones to Engrossed Senate Bill No. 128 by Senator Jones

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 15:574.20(A)(1)" and before the comma "," insert "and (D)"

AMENDMENT NO. 2

On page 1, line 4, after "consideration;" insert "to provide for applicability;"

AMENDMENT NO. 3

On page 1, line 6, after "R.S. 15:574.20(A)(1)" delete "is" and insert "and (D) are"

AMENDMENT NO. 4

On page 1, after line 14, insert the following:

"D. The parole term of an inmate released on medical parole shall be for the remainder of the inmate's sentence, without diminution of sentence for good behavior. **The terms of his release shall provide conditions to ensure that the inmate is not a threat to public safety. Examples of such conditions may include but not be limited to a condition that the inmate remain primarily in a specific location such as a nursing home or at his residence.** Supervision of the parolee shall consist of periodic medical evaluations at intervals to be determined by the board at the time of release.

* * *

On motion of Senator Jones, the amendments were adopted.

The bill was read by title. Senator Jones moved the final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Fields	Mount
Barham	Gautreaux B	Murray
Broome	Heitmeier	Shepherd
Cain	Hollis	Smith
Cheek	Jackson	Theunissen
Duplessis	Jones	Ullo
Dupre	Kostelka	
Ellington	Marionneaux	
Total - 22		

NAYS

Adley	Malone	Quinn
Fontenot	Michot	Romero
Lentini	Nevers	
Total - 8		

ABSENT

Mr. President	Chaisson	Gautreaux N
Amedee	Cravins	McPherson
Boasso	Dardenne	Schedler
Total - 9		

The Chair declared the amended bill was passed. The title was read and adopted. Senator Jones moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 133—

BY SENATOR N. GAUTREAUX

AN ACT

To amend and reenact R.S. 15:550(A), (B)(1), and (C)(2)(c), relative to sexual offenders; to require the Department of Public Safety and Corrections to require by rule that participants in a pilot program for sex offenders pay the cost of electronic monitoring; to provide for certain limitations; and to provide for related matters.

Floor Amendments Sent Up

Senator N. Gautreaux sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator N. Gautreaux to Engrossed Senate Bill No. 133 by Senator N. Gautreaux

AMENDMENT NO. 1

On page 1, line 2, after "(C)(2)(c)" insert "and to enact R. S. 15:538(E)" and after "offenders; to" insert "require electronic

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monitoring of any sex offender released from imprisonment or sentenced to supervision in lieu of imprisonment under certain circumstances; to"

AMENDMENT NO. 2

On page 1, line 7, after "reenacted" insert " and R. S. 15:538(E) is enacted"

AMENDMENT NO. 3

On page 1, between lines 8 and 9, insert the following:
"§538. Conditions of probation, parole, and suspension or diminution of sentence
* * *

E.(1)(a) No court may order probation or suspension of sentence for a sexual offender nor may the parole board order release of a sexual offender on parole or as the result of the diminution of sentence unless, as a condition thereof, such offender is required for the duration of the period of probation or parole or for the duration of a period during which he is prohibited, as otherwise provided in this Section, from engaging in an activity or business or from being in proximity to persons or areas, the offender is required to be and is electronically monitored.

(b) Each sexual offender who is subject to the requirements of this Paragraph and whose sexual offense involved a minor child shall be required to be electronically monitored in a fashion that provides for electronic location tracking.

(2)(a)(i) Unless it is determined by the Department of Public Safety and Corrections, pursuant to rules adopted in accordance with Subparagraph (b) of this Paragraph, that a sexual offender is unable to pay all or any portion of such costs, each sexual offender who is ordered by the court or by the parole board, as is required in Paragraph (1) of this Subsection, to be electronically monitored shall pay the cost of such monitoring.

(ii) The costs attributable to the electronic monitoring of an offender who has been determined unable to pay shall be borne by the department if, and only to the degree that, sufficient funds are made available for such purpose whether by appropriation of state funds or from any other source. Only in the case that a sexual offender is subject to the requirements of this Subsection, did not commit an offense in which the victim was under fourteen years old, is unable to pay his own electronic monitoring costs, and there are no funds available to the department to pay for such monitoring, may the courts or the parole board not order electronic monitoring.

(b) The Department of Public Safety and Corrections shall develop, adopt, and promulgate rules, in the manner provided in the Administrative Procedure Act, that provide for the payment of such costs. Such rules shall contain specific guidelines which shall be used to determine the ability of the offender to pay the required costs and shall establish the reasonable costs to be charged. Such rules may provide for a sliding scale of payment so that an offender who is able to pay a portion, but not all of such costs may be required to pay such portion.

On motion of Senator N. Gautreaux, the amendments were adopted.

The bill was read by title. Senator N. Gautreaux moved the final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Adley, Gautreaux B, Murray, Bajoue, Gautreaux N, Nevers, Barham, Heitmeier, Quinn, Broome, Hollis, Romero, Cain, Jackson, Schedler, Cheek, Jones, Smith

Cravins, Lentini, Theunissen, Dupre, Marionneaux, Ullo, Ellington, Michot, Fields, Mount

Total - 28

NAYS

Fontenot, Kostelka, Malone, Total - 3

ABSENT

Mr. President, Chaisson, McPherson, Amedee, Dardenne, Shepherd, Boasso, Duplessis, Total - 8

The Chair declared the amended bill was passed. The title was read and adopted. Senator N. Gautreaux moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 216— BY SENATOR JACKSON

AN ACT

To amend and reenact R.S. 40:1379.1(F), (G), (H), (I), (J), (K), (L), and (M) and to enact R.S. 40:1379.1(N), relative to powers and duties of the superintendent of the state police; to provide for issuance of special officer commission to commissioned law enforcement officer responding pursuant to a request for assistance under the Southern Regional Homeland Security and Emergency Preparedness Management Assistance Compact, during a declared state of emergency or disaster; and to provide for related matters.

The bill was read by title. Senator Jackson moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Adley, Fontenot, McPherson, Bajoue, Gautreaux B, Michot, Barham, Gautreaux N, Mount, Broome, Heitmeier, Murray, Cain, Hollis, Nevers, Chaisson, Jackson, Quinn, Cheek, Jones, Romero, Duplessis, Kostelka, Schedler, Dupre, Lentini, Smith, Ellington, Malone, Theunissen, Fields, Marionneaux, Ullo

Total - 33

NAYS

Total - 0

ABSENT

Mr. President, Boasso, Dardenne, Amedee, Cravins, Shepherd, Total - 6

The Chair declared the bill was passed. The title was read and adopted. Senator Jackson moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 226— BY SENATOR N. GAUTREAUX

AN ACT

To repeal R.S. 13:2583(D), relative to constables; to remove the mandatory age requirement at which constables must retire; and to provide for related matters.

The bill was read by title. Senator N. Gautreaux moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Adley	Fontenot	Michot
Bajoie	Gautreaux B	Mount
Barham	Gautreaux N	Murray
Broome	Heitmeier	Nevers
Cain	Hollis	Quinn
Chaisson	Jackson	Romero
Cheek	Jones	Smith
Duplessis	Kostelka	Theunissen
Dupre	Lentini	Ullo
Ellington	Malone	
Fields	Marionneaux	
Total - 31		

NAYS

Total - 0

ABSENT

Mr. President	Cravins	Schedler
Amedee	Dardenne	Shepherd
Boasso	McPherson	
Total - 8		

The Chair declared the bill was passed. The title was read and adopted. Senator N. Gautreaux moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Mr. President in the Chair

SENATE BILL NO. 292—

BY SENATORS FONTENOT, HINES, MOUNT, BAJOIE, NEVERS AND CHEEK AND REPRESENTATIVES SALTER, DORSEY, ALARIO, DEWITT, HAMMETT, JEFFERSON, RICHMOND AND RITCHIE

AN ACT

To enact R.S. 30:2014.5, relative to environmental quality, to authorize the secretary of the Department of Environmental Quality to develop and implement an expedited permitting processing program; to provide for legislative approval of rules; to provide for notice of expedited permit; and to provide for related matters.

The bill was read by title. Senator Fontenot moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Michot
Adley	Ellington	Mount
Amedee	Fields	Murray
Bajoie	Fontenot	Nevers
Barham	Heitmeier	Quinn
Broome	Hollis	Romero
Cain	Jackson	Schedler
Chaisson	Jones	Shepherd
Cheek	Kostelka	Smith
Cravins	Lentini	Theunissen
Duplessis	McPherson	Ullo
Total - 33		

NAYS

Gautreaux B	Malone
Gautreaux N	Marionneaux

Total - 4

ABSENT

Boasso	Dardenne
Total - 2	

The Chair declared the bill was passed. The title was read and adopted. Senator Fontenot moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 409—
BY SENATOR FONTENOT

AN ACT

To amend and reenact R.S. 30:2411(B)(1) and (2) and 2415(A), (C), (D), (E), and (G), relative to environmental quality; to require a reduction of the amount of solid waste being disposed of; to require the development of solid waste and recycling as a management procedure at all solid waste facilities; to provide for the development of the state's recycling industry; to require the secretary of the Department of Environmental Quality to develop a statewide solid waste management plan that includes recycling; to require the division of administration to develop and implement rules promoting the use and purchase of goods with recycled content by all state agencies; to provide relative to the Department of Transportation and Development usage of recycled materials in highway construction and maintenance; to provide relative to state procurement of recycled paper products; and to provide for related matters.

On motion of Senator Fontenot, the bill was read by title and returned to the Calendar, subject to call.

SENATE BILL NO. 343—
BY SENATOR HOLLIS

AN ACT

To amend and reenact R.S. 6:121.2, relative to the office of financial institutions; to provide for the powers and duties of the office of financial institutions; to authorize the commissioner of financial institutions to obtain certain state and federal criminal history records under certain circumstances; to provide for the collection of certain fees; and to provide for related matters.

The bill was read by title. Senator Hollis moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	McPherson
Adley	Fields	Michot
Amedee	Fontenot	Mount
Bajoie	Gautreaux B	Murray
Barham	Heitmeier	Nevers
Broome	Hollis	Quinn
Cain	Jackson	Romero
Chaisson	Jones	Schedler
Cheek	Kostelka	Smith
Cravins	Lentini	Theunissen
Duplessis	Malone	Ullo
Dupre	Marionneaux	
Total - 35		

NAYS

Total - 0

ABSENT

Boasso	Gautreaux N
Dardenne	Shepherd
Total - 4	

April 4, 2006

The Chair declared the bill was passed. The title was read and adopted. Senator Hollis moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 344—

BY SENATOR HOLLIS

AN ACT

To enact R.S. 6:103(B)(11), (12), (13), (14), and (15), relative to the office of financial institutions; to authorize the commissioner of financial institutions to disclose certain information; and to provide for related matters.

The bill was read by title. Senator Hollis moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Ellington Michot
Adley Fields Mount
Amedee Gautreaux B Murray
Bajoie Gautreaux N Nevers
Barham Heitmeier Quinn
Broome Hollis Romero
Cain Jackson Schedler
Chaisson Jones Smith
Cheek Kostelka Theunissen
Cravins Lentini Ullo
Duplessis Malone
Dupre McPherson
Total - 34

NAYS

Marionneaux
Total - 1

ABSENT

Boasso Fontenot
Dardenne Shepherd
Total - 4

The Chair declared the bill was passed. The title was read and adopted. Senator Hollis moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 357—

BY SENATOR HOLLIS

AN ACT

To amend and reenact R.S. 40:1730.23(A) and (C) and 1730.28(A)(1) and (2), relative to the state uniform construction code; to provide for the enforcement of the state uniform construction code by local government; to provide for the responsibilities of local government; to provide for the liability of local government regarding the enforcement of construction codes; to clarify the enforcement responsibilities of the state fire marshal; and to provide for related matters.

On motion of Senator Hollis, the bill was read by title and returned to the Calendar, subject to call.

SENATE BILL NO. 372—

BY SENATOR HOLLIS

AN ACT

To enact R.S. 6:121.7, relative to the office of financial institutions; to authorize the commissioner of the office of financial institutions to impose certain fees; and to provide for related matters.

The bill was read by title. Senator Hollis moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Ellington McPherson
Adley Fields Michot
Amedee Fontenot Mount
Bajoie Gautreaux B Murray
Barham Gautreaux N Nevers
Boasso Heitmeier Quinn
Broome Hollis Romero
Cain Jackson Schedler
Chaisson Jones Shepherd
Cheek Kostelka Smith
Cravins Lentini Theunissen
Duplessis Malone Ullo
Dupre Marionneaux
Total - 38

NAYS

Total - 0

ABSENT

Dardenne
Total - 1

The Chair declared the bill was passed. The title was read and adopted. Senator Hollis moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 384—

BY SENATOR HOLLIS

AN ACT

To enact R.S. 9:3534.5, relative to the Louisiana Consumer Credit Law; to provide for the assignment of certain debts; to provide for collection of debts owed to a credit grantor; to provide procedures for such collections; to provide for the validity of the debt owed; and to provide for related matters.

Floor Amendments Sent Up

Senator Lentini sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lentini on behalf of the Legislative Bureau to Engrossed Senate Bill No. 384 by Senator Hollis

AMENDMENT NO. 1

On page 2, line 1, change "Where" to "When"

AMENDMENT NO. 2

On page 2, line 4, change "R. S. 37:211" to "R. S. 37:212"

On motion of Senator Lentini, the amendments were adopted.

Floor Amendments Sent Up

Senator Hollis sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Hollis to Engrossed Senate Bill No. 384 by Senator Hollis

AMENDMENT NO. 1

On page 1, line 5 after "owed;" insert "to provide for definitions; to provide for the registration of collection agencies; to authorize certain registration fees;"

AMENDMENT NO. 2

On page 1, delete line 8 and insert the following:
 "§3534.5. Collection agent; registration; assignment of debt to collector"

AMENDMENT NO. 3

On page 1, between lines 8 and 9, insert the following:
"A. For purposes of this Section, "collection agency" and "debt collector" are synonymous and interchangeable terms and mean any person, other than a licensed Louisiana attorney, who uses any instrumentality of intrastate or interstate commerce or the mails in any business the principal purpose of which is the collection of any debts, or who regularly collects or attempts to collect, directly or indirectly, debts owed or due or asserted to be owed or due another, and relative to Louisiana clients, notwithstanding the fact that such person has no employees, offices, equipment, or other physical facilities in this state, or any person who regularly attempts to collect, directly or indirectly, debts owed or due, or asserted to be owed or due another, and who is located in the state regardless of whether the person has Louisiana clients.

B.(1) Any collection agency or debt collector doing business in this state shall register with the secretary of state. The secretary of state shall promulgate rules and regulations necessary to provide for the registration required by this Section.

(2) The secretary of state is authorized to impose a registration fee of no more than twenty-five dollars on any person registering pursuant to this Section.

AMENDMENT NO. 4

On page 1, line 9 change "A." to "C."

AMENDMENT NO. 5

On page 1, line 15 change "B." to "D."

AMENDMENT NO. 6

On page 2, line 5 change "C." to "E."

AMENDMENT NO. 7

On page 2, at the beginning of line 11 delete "D. Subsections A and B" and insert "F. Subsections C and D"

On motion of Senator Hollis, the amendments were adopted.

The bill was read by title. Senator Hollis moved the final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	McPherson
Adley	Ellington	Michot
Amedee	Fontenot	Mount
Bajoie	Gautreaux B	Murray
Barham	Gautreaux N	Nevers
Boasso	Heitmeier	Quinn
Broome	Hollis	Romero
Cain	Jackson	Schedler
Chaisson	Jones	Shepherd
Cheek	Kostelka	Smith
Cravins	Lentini	Theunissen
Duplessis	Malone	Ullo
Total - 36		

NAYS

Fields	Marionneaux
Total - 2	

ABSENT

Dardenne
Total - 1

The Chair declared the amended bill was passed. The title was read and adopted. Senator Hollis moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 551—

BY SENATOR MICHOT

AN ACT

To amend and reenact R.S. 51:710(A) and to enact R.S. 51:710.1, relative to securities; to provide for the powers and authority of the commissioner of securities; to provide additional powers for the commissioner during a declared state of emergency; to authorize the assessment of certain fees; to authorize the commissioner to assess certain civil penalties; and to provide for related matters.

The bill was read by title. Senator Michot moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	McPherson
Adley	Fields	Michot
Amedee	Fontenot	Mount
Bajoie	Gautreaux B	Murray
Barham	Gautreaux N	Nevers
Boasso	Heitmeier	Quinn
Broome	Hollis	Romero
Cain	Jackson	Schedler
Chaisson	Jones	Shepherd
Cheek	Kostelka	Smith
Cravins	Lentini	Theunissen
Duplessis	Malone	Ullo
Dupre	Marionneaux	
Total - 38		

NAYS

Total - 0

ABSENT

Dardenne
Total - 1

The Chair declared the bill was passed. The title was read and adopted. Senator Michot moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 552—

BY SENATOR MICHOT

AN ACT

To enact R.S. 51:702(21), (22), and (23), relative to securities; to define certain terms for purposes of the Louisiana Securities Law; and to provide for related matters.

Floor Amendments Sent Up

Senator Michot sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Michot to Engrossed Senate Bill No. 552 by Senator Michot

AMENDMENT NO. 1

On page 1, line 9, delete "either"

AMENDMENT NO. 2

On page 1, lines 10, 11 and 12, delete "; or is excluded from the definition of "investment adviser" under Section 202(a)(11) of the Investment Advisers Act of 1940"

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On motion of Senator Michot, the amendments were adopted.

The bill was read by title. Senator Michot moved the final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Yeas, Nays. Lists names like Mr. President, Adley, Amedee, Bajoie, Barham, Boasso, Broome, Cain, Chaisson, Cheek, Cravins, Duplessis, Dupre, Ellington, Fields, Fontenot, Gautreaux B, Gautreaux N, Heitmeier, Jackson, Jones, Kostelka, Lentini, Malone, Marionneaux, McPherson, Michot, Mount, Murray, Nevers, Quinn, Romero, Schedler, Smith, Theunissen, Ullo.

NAYS

Total - 0

ABSENT

Table with 3 columns: Name, Yeas, Nays. Lists Dardenne, Hollis, Shepherd.

The Chair declared the amended bill was passed. The title was read and adopted. Senator Michot moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 554— BY SENATOR ULLO

AN ACT

To amend and reenact R.S. 8:1(8), (9), (20), and (35), and 76(A), and 659(A)(1); relative to cemeteries; to provide for the sale and transfer of cemetery authority; to provide for cemetery activities by a limited liability company; and to provide for related matters.

The bill was read by title. Senator Ullo moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Yeas, Nays. Lists names like Mr. President, Adley, Amedee, Bajoie, Barham, Boasso, Broome, Cain, Chaisson, Cheek, Cravins, Duplessis, Dupre, Ellington, Fields, Fontenot, Gautreaux B, Gautreaux N, Heitmeier, Hollis, Jackson, Jones, Kostelka, Lentini, Malone, Marionneaux, McPherson, Michot, Mount, Murray, Nevers, Quinn, Romero, Schedler, Shepherd, Smith, Theunissen, Ullo.

NAYS

Total - 0

ABSENT

Dardenne

Total - 1

The Chair declared the bill was passed. The title was read and adopted. Senator Ullo moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 578— BY SENATOR MICHOT

AN ACT

To amend and reenact R.S. 51:703(D), relative to investment advisers; to provide for the registration of investment advisers; to provide requirements for registration; to require written examination; to provide exceptions from such written examination; and to provide for related matters.

The bill was read by title. Senator Michot moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Yeas, Nays. Lists names like Mr. President, Adley, Amedee, Bajoie, Barham, Boasso, Broome, Cain, Chaisson, Cheek, Cravins, Duplessis, Dupre, Ellington, Fields, Fontenot, Gautreaux B, Gautreaux N, Heitmeier, Hollis, Jackson, Jones, Kostelka, Lentini, Malone, Marionneaux, McPherson, Michot, Mount, Murray, Nevers, Quinn, Romero, Schedler, Shepherd, Smith, Theunissen, Ullo.

NAYS

Total - 0

ABSENT

Dardenne Total - 1

The Chair declared the bill was passed. The title was read and adopted. Senator Michot moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 584— BY SENATOR MICHOT

AN ACT

To amend and reenact R.S. 51:703(G), 705(D)(2), 706(A) and the introductory paragraph of 706(D), 708(3), 709(15), and 724, relative to securities; to provide for technical changes to the Louisiana Securities Law; to provide for the transmittal of certain registration fees; to exempt certain securities; to clarify the payment of any fees and charges collected by the commissioner; and to provide for related matters.

Floor Amendments Sent Up

Senator Lentini sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lentini on behalf of the Legislative Bureau to Engrossed Senate Bill No. 584 by Senator Michot

AMENDMENT NO. 1

On page 1, lines 1 and 8, following "51:703(G)" insert "(introductory paragraph)"

AMENDMENT NO. 2

On page 4, line 9 change "**LAC 10.XII**" to "**LAC 10.XIII**"

On motion of Senator Lentini, the amendments were adopted.

The bill was read by title. Senator Michot moved the final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	McPherson
Adley	Fields	Michot
Amedee	Fontenot	Mount
Bajoie	Gautreaux B	Murray
Barham	Gautreaux N	Nevers
Boasso	Heitmeier	Quinn
Broome	Hollis	Romero
Cain	Jackson	Schedler
Chaisson	Jones	Shepherd
Cheek	Kostelka	Smith
Cravins	Lentini	Theunissen
Duplessis	Malone	Ullo
Dupre	Marionneaux	
Total - 38		

NAYS

Total - 0

ABSENT

Dardenne
Total - 1

The Chair declared the amended bill was passed. The title was read and adopted. Senator Michot moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 18—
BY SENATOR FIELDS

AN ACT

To amend and reenact R.S. 18:44(A) and (B)(5)(b), the introductory paragraph of 110(B)(1), 197, 401(B), 402(B), the introductory paragraph of (C), (E) and (G), 431(A)(1)(b), 433(G)(1) and the introductory paragraph of (H)(1), 434(A)(1), the introductory paragraph of (C), and (D)(1) and (2), 435(A)(1) and (B), 436, 453, the introductory paragraph of 467, 467(2), 468(A), 491(A) and (C), the introductory paragraph of 552(A), 1272(A), 1278(B), 1279, 1300(C)(1), 1300.7(A), 1306(A)(4) and (C)(2), 1307(A)(8) and (E), 1308(A)(2)(a), 1311(D)(5)(a), 1314(B)(1) and (2) and (C), 1333(D)(1)(e) and (E)(1), 1355(6), 1401(B), 1402(B)(1)(c), 1405(A), 1406(B), 1407, 1409(B)(1) and (2), 1432(A), 1461(A)(17) and to enact R.S. 18:1275.1 through 1275.24, relative to elections; to provide for a party primary system of elections for congressional offices, including provisions to provide for nomination of candidates for general elections for congressional offices by party primary elections, including a first primary election and a second primary election if no candidate receives a majority vote in the first primary election; for qualification of candidates for congressional office having no party affiliation in the general election; for election in the general election by plurality vote; for voting for congressional offices by a voter registered as affiliated with the party in the party primary elections; to provide for voting of unaffiliated voters in party primaries; to provide for election dates; and to provide for related matters.

On motion of Senator Fields, Senate Bill No. 18 was made Special Order of the Day No. 1 on Wednesday, April 5, 2006, immediately following the Morning Hour.

SENATE BILL NO. 83—
BY SENATOR JONES

AN ACT

To amend and reenact R.S. 18:1511.3(D), relative to the Louisiana Board of Ethics; to require the supervisory committee to retain campaign finance reports for three years from the date of filing; and to provide for related matters.

The bill was read by title. Senator Jones moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Jones
Adley	Ellington	Marionneaux
Bajoie	Fields	Murray
Broome	Gautreaux B	Quinn
Cheek	Heitmeier	Ullo
Cravins	Hollis	
Duplessis	Jackson	
Total - 19		

NAYS

Amedee	Kostelka	Romero
Barham	Lentini	Schedler
Boasso	Malone	Smith
Cain	Michot	Theunissen
Chaisson	Mount	
Fontenot	Nevers	
Total - 16		

ABSENT

Dardenne	McPherson
Gautreaux N	Shepherd
Total - 4	

The Chair declared the bill failed to pass.

Notice of Reconsideration

Senator Jones, pursuant to Senate Rule Number 11.12, gave notice that before the expiration of the Morning Hour of the next succeeding legislative day of the Senate, he would move to reconsider the vote by which the bill failed to pass.

Personal Privilege

Senator Quinn asked for and obtained the floor of the Senate on a point of personal privilege, and stated she had voted in error on Senate Bill No. 83. She voted yea on the bill and had intended to vote nay. She asked that the Official Journal so state.

SENATE BILL NO. 150—
BY SENATOR JONES

AN ACT

To amend and reenact R.S. 18:44(A) and (B)(5)(b), the introductory paragraph of 110(B)(1), 197, 401(B), 402(B), the introductory paragraph of (C), (E) and (G), 431(A)(1)(b), 433(G)(1) and the introductory paragraph of (H)(1), 434(A)(1), the introductory paragraph of (C), and (D)(1) and (2), 435(A)(1) and (B), 436, 453, the introductory paragraph of 467, 467(2), 468(A), 491(A) and (C), the introductory paragraph of 552(A), 1272(A), 1278(B), 1279, 1300(C)(1), 1300.7(A), 1306(A)(4) and (C)(2), 1307(A)(8) and (E), 1308(A)(2)(a), 1311(D)(5)(a), 1314(B)(1) and (2) and (C), 1333(D)(1)(e) and (E)(1), 1355(6), 1401(B), 1402(B)(1)(c), 1405(A), 1406(B), 1407, 1409(B)(1) and (2), 1432(A), 1461(A)(17) and to enact R.S. 18:1275.1 through 1275.24, relative to elections; to provide for a party primary system of elections for congressional offices, including provisions to provide for nomination of candidates for general

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elections for congressional offices by party primary elections, including a first primary election and a second primary election if no candidate receives a majority vote in the first primary election; for qualification of candidates for congressional office having no party affiliation in the general election; for election in the general election by plurality vote; for voting for congressional offices by a voter registered as affiliated with the party in the party primary elections; to provide for voting of unaffiliated voters in party primaries; to provide for election dates; and to provide for related matters.

On motion of Senator Jones, Senate Bill No. 150 was made Special Order of the Day No. 2 on Wednesday, April 5, 2006, immediately following the Morning Hour.

SENATE BILL NO. 286— BY SENATORS FIELDS AND MARIONNEAUX AN ACT

To amend and reenact R.S. 49:149.23, relative to the Department of Social Services; to provide for the naming of the floor in the social services building on which the executive offices are located; and to provide for related matters.

The bill was read by title. Senator Fields moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Mr. President, Adley, Amedee, Bajoie, Barham, Boasso, Broome, Cain, Chaisson, Cheek, Cravins, Duplessis, Dupre, Ellington, Fields, Fontenot, Gautreaux B, Gautreaux N, Heitmeier, Hollis, Jackson, Jones, Kostelka, Lentini, Malone, Marionneaux, McPherson, Michot, Mount, Murray, Nevers, Quinn, Romero, Schedler, Shepherd, Smith, Theunissen, Ullo.

Total - 38

NAYS

Total - 0

ABSENT

Dardenne Total - 1

The Chair declared the bill was passed. The title was read and adopted. Senator Fields moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 291— BY SENATORS FIELDS, BAJOE AND JONES AN ACT

To enact R.S. 18:1308.3, relative to the conduct of elections during or following a gubernatorially declared state of emergency; to provide for certain displaced persons who have registered to vote by mail by a certain date to vote absentee by mail; to provide for a displaced voter to receive an absentee ballot without request; and to provide for related matters.

Floor Amendments Sent Up

Senator Lentini sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lentini on behalf of the Legislative Bureau to Engrossed Senate Bill No. 291 by Senator Fields

AMENDMENT NO. 1

On page 2, line 12, following "and shall" and before the end of the line change "contain" to "list the names of"

On motion of Senator Lentini, the amendments were adopted.

On motion of Senator Fields, Senate Bill No. 291 as amended was made Special Order of the Day No. 3 on Wednesday, April 5, 2006, immediately following the Morning Hour.

SENATE BILL NO. 306— BY SENATOR JONES AN ACT

To amend and reenact R.S. 42:1121(A)(2), relative to the Code of Governmental Ethics; to prohibit the immediate family of a former member of a board or commission and any entity in which either the former member or his immediate family member has controlling interest for contracting with his former board or commission for a specified period; and to provide for related matters.

The bill was read by title. Senator Jones moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Mr. President, Adley, Amedee, Bajoie, Barham, Boasso, Broome, Cain, Chaisson, Cheek, Cravins, Duplessis, Dupre, Ellington, Fields, Fontenot, Gautreaux B, Gautreaux N, Heitmeier, Hollis, Jackson, Jones, Kostelka, Lentini, Malone, Marionneaux, McPherson, Michot, Mount, Murray, Nevers, Quinn, Romero, Schedler, Shepherd, Smith, Theunissen, Ullo.

Total - 38

NAYS

Total - 0

ABSENT

Dardenne Total - 1

The Chair declared the bill was passed. The title was read and adopted. Senator Jones moved to reconsider the vote by which the bill was passed and laid the motion on the table.

SENATE BILL NO. 541— BY SENATOR ULLO AN ACT

To amend and reenact R.S. 42:1121(B), relative to the Code of Governmental Ethics; to provide an exception from the prohibition on contracting with a former agency for persons who contract to provide sign language or interpretive services; and to provide for related matters.

The bill was read by title. Senator Ullo moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Marionneaux
Adley	Ellington	McPherson
Amedee	Fontenot	Michot
Bajoie	Gautreaux B	Mount
Barham	Gautreaux N	Murray
Boasso	Heitmeier	Nevers
Broome	Hollis	Quinn
Cain	Jackson	Romero
Chaisson	Jones	Shepherd
Cheek	Kostelka	Smith
Cravins	Lentini	Theunissen
Duplessis	Malone	Ullo
Total - 36		

NAYS

Total - 0

ABSENT

Dardenne	Fields	Schedler
Total - 3		

The Chair declared the bill was passed. The title was read and adopted. Senator Ullo moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Rules Suspended

Senator Ullo asked for and obtained a suspension of the rules for the purpose of reverting to the Morning Hour.

Petitions, Memorials and Communications

The following petitions, memorials and communications were received and read:

SENATE
State of Louisiana
April 4, 2006

Honorable Derrick Shepherd
State Senator
2009 Ames Blvd.
New Orleans, LA 70072

RE: Senate Committee on Environmental Quality

Dear Senator Shepherd:

In accordance with Senate Rule 13.1, I hereby appoint you to serve as a member of the **Senate Committee on Environmental Quality (vice Senator Cain)**.

Sincerely,
DONALD E. HINES
President of the Senate

Introduction of Senate Concurrent Resolutions

Senator Bajoie asked for and obtained a suspension of the rules for the purpose of introducing and reading the following Senate Concurrent Resolutions a first and second time and acting upon them as follows:

SENATE CONCURRENT RESOLUTION NO. 19—

BY SENATORS HINES, BAJOIE AND HEITMEIER AND REPRESENTATIVES SALTER, DORSEY AND ALARIO
A CONCURRENT RESOLUTION

To approve a Proposed Action Plan for Fiscal Year 2006 Community Development Block Grant Disaster Recovery Funds proposed by the Louisiana Recovery Authority and approved by the governor and the Joint Legislative Committee on the Budget; and to provide for other matters pertaining thereto.

On motion of Senator Bajoie, the resolution was read by title and referred to the Committee on Finance.

SENATE CONCURRENT RESOLUTION NO. 20—

BY SENATOR SCHEDLER
A CONCURRENT RESOLUTION

To urge and request the Senate Committee on Environmental Quality and the House Committee on the Environment to meet and function as a joint committee to study and make recommendations regarding recycling and disposal options relative to computers and other electronic equipment.

The resolution was read by title; lies over under the rules.

Messages from the House

The following Messages from the House were received and read as follows:

Message from the House

ASKING CONCURRENCE IN HOUSE BILLS AND JOINT RESOLUTIONS

April 4, 2006

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed and asks your concurrence in the following House Bills and Joint Resolutions:

HOUSE BILL NO. 1035—

BY REPRESENTATIVES FRITH AND ST. GERMAIN
AN ACT

To amend and reenact R.S. 3:556.12(C), relative to the Louisiana Crawfish Promotion and Research Board; to remove certain restrictions on use of funds by the board; to provide that funds can be used for certain purposes; and to provide for related matters.

HOUSE BILL NO. 1120—

BY REPRESENTATIVE ST. GERMAIN
AN ACT

To amend and reenact R.S. 40:1375(B) and (F)(1), relative to state police training facilities; to provide for fees charged for participation in the training school and courses and for the use of the training facility by local government to train their police officers; and to provide for related matters.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

House Bills and Joint Resolutions on First Reading

The following House Bills and Joint Resolutions were read a first time by their titles and placed on the Calendar for their second reading:

April 4, 2006

HOUSE BILL NO. 1035—
BY REPRESENTATIVES FRITH AND ST. GERMAIN
AN ACT

To amend and reenact R.S. 3:556.12(C), relative to the Louisiana Crawfish Promotion and Research Board; to remove certain restrictions on use of funds by the board; to provide that funds can be used for certain purposes; and to provide for related matters.

The bill was read by title; lies over under the rules.

HOUSE BILL NO. 1120—
BY REPRESENTATIVE ST. GERMAIN
AN ACT

To amend and reenact R.S. 40:1375(B) and (F)(1), relative to state police training facilities; to provide for fees charged for participation in the training school and courses and for the use of the training facility by local government to train their police officers; and to provide for related matters.

The bill was read by title; lies over under the rules.

Messages from the House

The following Messages from the House were received and read as follows:

Message from the House

ASKING CONCURRENCE IN
HOUSE CONCURRENT RESOLUTIONS

April 4, 2006

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed and asks your concurrence in the following House Concurrent Resolutions:

HOUSE CONCURRENT RESOLUTION NO. 67—
BY REPRESENTATIVE JACK SMITH
A CONCURRENT RESOLUTION

To request the Department of Transportation and Development to construct an overpass at the intersection of U.S. Highway 90 and Louisiana Highway 318 and to present to the St. Mary Parish council a progress report on Interstate 49 South in St. Mary Parish.

HOUSE CONCURRENT RESOLUTION NO. 68—
BY REPRESENTATIVE BRUNEAU
A CONCURRENT RESOLUTION

To express sincere and heartfelt condolences upon the death of Blaise M. Carriere and to extend enduring appreciation for his outstanding contributions to the city of New Orleans, the city of Baton Rouge, and the state of Louisiana.

HOUSE CONCURRENT RESOLUTION NO. 66—
BY REPRESENTATIVE BRUNEAU
A CONCURRENT RESOLUTION

To express sincere and heartfelt condolences upon the death of Ernest C. Hansen, Sr., longtime proprietor of Sno-Bliz in New Orleans, and to extend posthumous honor to him for his incomparable legacy.

HOUSE CONCURRENT RESOLUTION NO. 70—
BY REPRESENTATIVE DURAND
A CONCURRENT RESOLUTION

To urge and request the Department of Natural Resources to deny requests for the issuance of drilling permits in Iberia and Vermilion parishes.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

House Concurrent Resolutions

Senator Bajoie asked for and obtained a suspension of the rules to take up at this time the following House Concurrent Resolutions just received from the House which were taken up, read a first and second time by their titles and acted upon as follows:

HOUSE CONCURRENT RESOLUTION NO. 66—
BY REPRESENTATIVE BRUNEAU
A CONCURRENT RESOLUTION

To express sincere and heartfelt condolences upon the death of Ernest C. Hansen, Sr., longtime proprietor of Sno-Bliz in New Orleans, and to extend posthumous honor to him for his incomparable legacy.

The resolution was read by title. Senator Murray moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Mr. President, Dupre, McPherson; Adley, Ellington, Michot; Amedee, Fontenot, Mount; Bajoie, Gautreaux B, Murray; Barham, Gautreaux N, Nevers; Boasso, Heitmeier, Quinn; Broome, Hollis, Romero; Cain, Jackson, Shepherd; Chaisson, Jones, Smith; Cheek, Lentini, Theunissen; Cravins, Malone, Ullo; Duplessis, Marionneaux; Total - 35

NAYS

Total - 0

ABSENT

Table with 2 columns: Dardenne, Kostelka; Fields, Schedler; Total - 4

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

HOUSE CONCURRENT RESOLUTION NO. 67—
BY REPRESENTATIVE JACK SMITH
A CONCURRENT RESOLUTION

To request the Department of Transportation and Development to construct an overpass at the intersection of U.S. Highway 90 and Louisiana Highway 318 and to present to the St. Mary Parish council a progress report on Interstate 49 South in St. Mary Parish.

The resolution was read by title; lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 68—
BY REPRESENTATIVE BRUNEAU
A CONCURRENT RESOLUTION

To express sincere and heartfelt condolences upon the death of Blaise M. Carriere and to extend enduring appreciation for his outstanding contributions to the city of New Orleans, the city of Baton Rouge, and the state of Louisiana.

The resolution was read by title. Senator Murray moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	Marionneaux
Adley	Ellington	McPherson
Amedee	Fields	Mount
Bajoie	Fontenot	Murray
Barham	Gautreaux B	Nevers
Boasso	Gautreaux N	Quinn
Broome	Hollis	Romero
Cain	Jackson	Shepherd
Chaisson	Jones	Smith
Cheek	Lentini	Theunissen
Duplessis	Malone	Uilo

Total - 33

NAYS

Total - 0

ABSENT

Cravins	Heitmeier	Michot
Dardenne	Kostelka	Schedler

Total - 6

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

HOUSE CONCURRENT RESOLUTION NO. 70—
BY REPRESENTATIVE DURAND

A CONCURRENT RESOLUTION

To urge and request the Department of Natural Resources to deny requests for the issuance of drilling permits in Iberia and Vermilion parishes.

The resolution was read by title; lies over under the rules.

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON

JUDICIARY A

Senator Lentini, Chairman on behalf of the Committee on Judiciary A, submitted the following report:

April 4, 2006

To the President and Members of the Senate:

I am directed by your Committee on Judiciary A to submit the following report:

SENATE BILL NO. 1—

BY SENATORS MCPHERSON, ADLEY, AMEDEE, BARHAM, CAIN, CRAVINS, DUPLESSIS, DUPRE, ELLINGTON, HINES, HOLLIS, LENTINI, MOUNT, MURRAY, NEVERS, SCHEDLER AND SMITH AND REPRESENTATIVES ALARIO, ALEXANDER, BALDONE, BAUDOIN, BOWLER, BRUNEAU, BURNS, CAZAYOUX, CROWE, CURTIS, DAMICO, DARTEZ, DOERGE, DOWNS, DURAND, FANNIN, FARRAR, FRITH, GREENE, E. GUILLORY, HILL, JEFFERSON, JOHNS, KLECKLEY, LAFONTA, LANCASTER, MCDONALD, MCVEA, MONTGOMERY, SCHNEIDER, T. POWELL, RITCHIE, ROMERO, STRAIN AND WALSWORTH

A JOINT RESOLUTION

Proposing to amend Article I, Section 4(B) of the Constitution of Louisiana, relative to the expropriation of property; to prohibit the expropriation of property for use by or transfer to any private person or entity under certain circumstances; to provide for the definition of "public purposes"; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

Reported with amendments.

SENATE BILL NO. 35—

BY SENATOR LENTINI

AN ACT

To amend and reenact Code of Civil Procedure Art. 3061, relative to successions; to provide relative to judgments of possession; to provide relative to the requirement for an inheritance tax return in such instances; to limit such requirement to certain circumstances; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 123—

BY SENATOR LENTINI AND REPRESENTATIVE ANSARDI

AN ACT

To amend and reenact R.S. 9:315(C)(3)(a), relative to child support; to provide for the definition of gross income; to include the basic allowance for housing for military personnel as gross income; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 193—

BY SENATOR LENTINI

AN ACT

To amend and reenact R.S. 46:236.1.8(D) and (E), relative to child support programs; to authorize certain support enforcement service support personnel to administer oaths; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 194—

BY SENATOR LENTINI AND REPRESENTATIVE ANSARDI

AN ACT

To amend and reenact Children's Code Article 615(E), and to enact Children's Code Article 615(F), relative to the Department of Social Services; to provide for the confidentiality and disposition of reports; to provide for the admission of reports in court proceedings; and to provide for related matters.

Reported favorably.

Respectfully submitted,
ARTHUR J. "ART" LENTINI,
Chairman

REPORT OF COMMITTEE ON

JUDICIARY C

Senator Chaisson, Chairman on behalf of the Committee on Judiciary C, submitted the following report:

April 4, 2006

To the President and Members of the Senate:

I am directed by your Committee on Judiciary C to submit the following report:

SENATE BILL NO. 70—

BY SENATOR NEVERS

AN ACT

To amend and reenact the introductory paragraph of R.S. 15:574.4(A)(2)(a), and R.S. 40:967(B)(1), (4) and (5) and 981.2(C), relative to certain controlled dangerous substances; to increase the penalty for the manufacture, possession or distribution of methadone; to authorize offenders to participate in the intensive incarceration program; and to provide for related matters.

April 4, 2006

Reported with amendments.

SENATE BILL NO. 93—
BY SENATOR MCPHERSON

AN ACT

To amend and reenact R.S. 14:329.6(A)(6) and R.S. 29:724(D)(6), 727(F)(8), 737(B)(7), and 766(D)(8), relative to seizure of firearms; to prohibit the seizure of certain firearms during a proclaimed state of emergency; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 96—
BY SENATOR MICHOT

AN ACT

To enact Chapter 19-D of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:1751 through 1754, relative to computer related activities; to create the Anti-Phishing Act; to prohibit the use of the Internet or other electronic means to solicit, request, or induce another person to provide identifying information in certain circumstances; to provide for definitions; to provide for penalties; and to provide for related matters.

Reported by substitute.

SENATE BILL NO. 126—
BY SENATOR JONES

AN ACT

To enact R.S. 15:308, relative to penalties for conviction of certain offenses; to provide for retroactive application of certain penalty provisions as applied to defendants who were convicted or who were sentenced prior to June 15, 2001; to provide for period within which to file a motion for amendment, modification, or reconsideration of sentence; to provide for amendment of sentences in accordance with more lenient penalty provisions; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 180—
BY SENATOR JONES

AN ACT

To amend and reenact Code of Criminal Procedure Art. 900(A)(5) and to enact R.S. 15:574.9(B)(3), relative to probation and parole; to provide for revocation of probation and parole; to limit incarceration period for technical violations; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 533—
BY SENATOR JONES

AN ACT

To enact R.S. 40:966(H), relative to the Uniform Controlled Dangerous Substances Law; to provide with respect to sentencing for certain heroin violations of the Uniform Controlled Dangerous Substances Law; to provide for retroactivity of current penalties; to provide for credit for time served; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 572—
BY SENATOR JONES

AN ACT

To enact Code of Criminal Procedure Article 799.1, relative to the number of peremptory challenges; to provide for use of all challenges available unless otherwise agreed; and to provide for related matters.

Reported favorably.

Respectfully submitted,
JOEL T. CHAISSON, II
Chairman

**REPORT OF COMMITTEE ON
JUDICIARY B**

Senator Marionneaux, Chairman on behalf of the Committee on Judiciary B, submitted the following report:

April 4, 2006

To the President and Members of the Senate:

I am directed by your Committee on Judiciary B to submit the following report:

SENATE BILL NO. 159—
BY SENATOR ELLINGTON

AN ACT

To amend and reenact Section 7(B)(1) of Act No. 1225 of the 2003 Regular Session of the Legislature, relative to juvenile justice; to add Franklin Parish to the list of parishes that are to be provided with increased availability of alternative programs for adjudicated juveniles and with a community-based system of care for such juveniles residing in those listed parishes; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 337—
BY SENATOR CRAVINS

AN ACT

To amend and reenact the introductory paragraph of R.S. 27:306(A)(4)(c)(ii) and to enact R.S. 27:308(B)(4) and (5), relative to the impact of force majeure on the operation of video draw poker devices and the license of such operation; to provide for an exception to the restaurant requirements of a qualified truck stop facility in cases where the restaurant cannot be operated because of force majeure; to provide for the turning in of a license as a result of force majeure; to provide for an exemption from certain fees due to force majeure; to provide with respect to restoration of a license surrendered as a result of force majeure; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
ROBERT M. MARIONNEAUX, JR.
Chairman

Rules Suspended

Senator Hines asked for and obtained a suspension of the rules for the purpose of taking up at this time.

**Senate Concurrent Resolutions
on Second Reading
Reported by Committees, Subject to Call**

The following Senate Concurrent Resolutions reported by Committees, subject to call, were taken up and acted upon as follows:

Called from the Calendar

Senator Hines asked that Senate Concurrent Resolution No. 3 be called from the Calendar at this time.

SENATE CONCURRENT RESOLUTION NO. 3—
BY SENATOR HINES

A CONCURRENT RESOLUTION

To continue the Bayou Boeuf Advisory Committee and requires the advisory committee to study and make proposals to the Senate and House Committees on transportation, highways and public works relative to uses of Bayou Boeuf, and the feasibility of the creation of a freshwater district along Bayou Boeuf from

Alexandria to Washington in the parishes of Rapides, Avoyelles, and St. Landry.

The resolution was read by title. Senator Hines moved to adopt the Senate Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	McPherson
Adley	Fields	Michot
Amedee	Fontenot	Mount
Bajoie	Gautreaux N	Murray
Barham	Heitmeier	Nevers
Boasso	Hollis	Quinn
Broome	Jackson	Romero
Cain	Jones	Schedler
Chaisson	Kostelka	Shepherd
Cheek	Lentini	Smith
Duplessis	Malone	Theunissen
Dupre	Marionneaux	Ullo
Total - 36		

NAYS

Total - 0

ABSENT

Cravins	Dardenne	Gautreaux B
Total - 3		

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent to the House.

Regular Order of the Day, Resumed

Senate Bills and Joint Resolutions on Third Reading and Final Passage, Subject to Call

The following Senate Bills and Joint Resolutions on Third Reading and Final Passage, subject to call, were taken up and acted upon as follows:

Called from the Calendar

Senator Hollis asked that Senate Bill No. 357 be called from the Calendar at this time for its final passage.

SENATE BILL NO. 357—
BY SENATOR HOLLIS

AN ACT

To amend and reenact R.S. 40:1730.23(A) and (C) and 1730.28(A)(1) and (2), relative to the state uniform construction code; to provide for the enforcement of the state uniform construction code by local government; to provide for the responsibilities of local government; to provide for the liability of local government regarding the enforcement of construction codes; to clarify the enforcement responsibilities of the state fire marshal; and to provide for related matters.

Floor Amendments Sent Up

Senator N. Gautreaux sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator N. Gautreaux to Engrossed Senate Bill No. 357 by Senator Hollis

AMENDMENT NO. 1

On page 2, line 10 after "**agency**" insert "**, contract employee**"

On motion of Senator N. Gautreaux, the amendments were adopted.

The bill was read by title. Senator Hollis moved the final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dupre	McPherson
Adley	Ellington	Michot
Amedee	Gautreaux B	Mount
Bajoie	Gautreaux N	Murray
Barham	Heitmeier	Nevers
Boasso	Hollis	Quinn
Broome	Jackson	Romero
Cain	Jones	Schedler
Chaisson	Kostelka	Shepherd
Cheek	Lentini	Smith
Cravins	Malone	Theunissen
Duplessis	Marionneaux	Ullo
Total - 36		

NAYS

Total - 0

ABSENT

Dardenne	Fields	Fontenot
Total - 3		

The Chair declared the amended bill was passed. The title was read and adopted. Senator Hollis moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Message from the House

SIGNED HOUSE CONCURRENT RESOLUTIONS

April 4, 2006

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has signed the following House Concurrent Resolutions:

HOUSE CONCURRENT RESOLUTION NO. 3—
BY REPRESENTATIVE GARY SMITH

A CONCURRENT RESOLUTION

To commend the New Jersey State Police for their service to the city of New Orleans following Hurricane Katrina.

HOUSE CONCURRENT RESOLUTION NO. 4—
BY REPRESENTATIVE HEBERT

A CONCURRENT RESOLUTION

To memorialize the United States Congress to take such actions as are necessary to ensure that the Federal Emergency Management Agency and the United States Army Corps of Engineers break up large federal disaster recovery contracts in Louisiana so that small, locally owned businesses can compete for and be awarded such contracts.

HOUSE CONCURRENT RESOLUTION NO. 6—

BY REPRESENTATIVES MCVEA, BEARD, CAZAYOUX, CRANE, DANIEL, ERDEY, GREENE, KENNARD, LAMBERT, SMILEY, ST. GERMAIN, STRAIN, AND WHITE AND SENATORS AMÉDÉE, DARDENNE, FONTENOT, MARIONNEAUX, AND NEVERS
A CONCURRENT RESOLUTION

April 4, 2006

To commend the Red Stick Chapter of the American Ex-Prisoners of War and to recognize and express appreciation for the achievements and sacrifice of ex-prisoners of war.

HOUSE CONCURRENT RESOLUTION NO. 7— BY REPRESENTATIVES MCDONALD, BURNS, R. CARTER, CURTIS, DOERGE, DURAND, GLOVER, E. GUILLORY, M. GUILLORY, HUTTER, JACKSON, KATZ, MARCHAND, STRAIN, WADDELL, WALKER, AND WINSTON

A CONCURRENT RESOLUTION

To commend Mr. Ben A. Bearden on more than forty years of outstanding service and dedication to the state of Louisiana, the Department of Social Services, and the Department of Health and Hospitals (DHH), more recently as the director of the Louisiana Medicaid program, and to congratulate him on the occasion of his much deserved retirement.

HOUSE CONCURRENT RESOLUTION NO. 9— BY REPRESENTATIVE LAFONTA

A CONCURRENT RESOLUTION

To urge and request the Small Business Entrepreneurship Commission to meet within six months to help small businesses recover from the effects of Hurricanes Katrina and Rita.

HOUSE CONCURRENT RESOLUTION NO. 10— BY REPRESENTATIVE LAFLEUR AND SENATOR HINES

A CONCURRENT RESOLUTION

To commend Floyd's Record Shop in Ville Platte, the oldest recorded music store in Louisiana, upon the celebration of its fiftieth anniversary and to recognize its contributions to Creole and Cajun heritage and culture.

HOUSE CONCURRENT RESOLUTION NO. 11— BY REPRESENTATIVE JACKSON

A CONCURRENT RESOLUTION

To urge and request the Department of Economic Development and the Department of Culture, Recreation and Tourism to work together to study the feasibility and economic impact of developing a festival for digital media, film, and music.

HOUSE CONCURRENT RESOLUTION NO. 12— BY REPRESENTATIVES ANSARDI AND MARTINY

A CONCURRENT RESOLUTION

To commend Pastor John Fall and the Williams Boulevard Baptist Church of Kenner, Louisiana, for their support and assistance to Louisiana State Police Troop "B" following Hurricane Katrina.

HOUSE CONCURRENT RESOLUTION NO. 13— BY REPRESENTATIVES RICHMOND, BADON, BARROW, BAYLOR, BURRELL, K. CARTER, CRAVINS, CURTIS, DORSEY, GALLOT, GLOVER, GRAY, E. GUILLORY, HARRIS, HONEY, HUNTER, JACKSON, JEFFERSON, LAFONTA, MARCHAND, MORRELL, PIERRE, AND QUEZAIRE AND SENATORS BAJOEI, BROOME, CRAVINS, DUPLESSIS, FIELDS, JACKSON, JONES, MURRAY, AND SHEPHERD

A CONCURRENT RESOLUTION

To commend personnel of the Louisiana Department of Wildlife and Fisheries for their response efforts following Hurricane Katrina and Hurricane Rita.

HOUSE CONCURRENT RESOLUTION NO. 14— BY REPRESENTATIVE CROWE

A CONCURRENT RESOLUTION

To declare the month of October as Marriage and Family Month to encourage and protect marriages and families in Louisiana.

HOUSE CONCURRENT RESOLUTION NO. 17— BY REPRESENTATIVE BRUCE

A CONCURRENT RESOLUTION

To commend Barbara Valentine upon the great achievement of being sworn in as Louisiana District Governor of Pilot Club International.

HOUSE CONCURRENT RESOLUTION NO. 18— BY REPRESENTATIVES BRUCE AND MONTGOMERY

A CONCURRENT RESOLUTION

To commend Eric Daniel Poole for his outstanding accomplishments which include earning an appointment to the United States Air Force Academy in Colorado Springs, Colorado.

HOUSE CONCURRENT RESOLUTION NO. 19— BY REPRESENTATIVE BRUCE

A CONCURRENT RESOLUTION

To commend Daisy Richardson Ross upon the celebration of her ninetieth birthday on April 20, 2006.

HOUSE CONCURRENT RESOLUTION NO. 20— BY REPRESENTATIVE KLECKLEY

A CONCURRENT RESOLUTION

To express sincere and heartfelt condolences upon the death of Edwin Duhon, cofounder of the Hackberry Ramblers and to recognize his outstanding accomplishments and singular contributions to the music industry.

HOUSE CONCURRENT RESOLUTION NO. 21— BY REPRESENTATIVE SMILEY AND SENATOR AMEDEE

A CONCURRENT RESOLUTION

To commend St. Joseph Catholic Church in French Settlement upon the celebration of the building of its new church.

HOUSE CONCURRENT RESOLUTION NO. 22— BY REPRESENTATIVE SMILEY AND SENATOR AMEDEE

A CONCURRENT RESOLUTION

To commend the town of Sorrento upon the celebration of the fiftieth anniversary of its incorporation on September 11, 2006.

HOUSE CONCURRENT RESOLUTION NO. 23— BY REPRESENTATIVE MCDONALD

A CONCURRENT RESOLUTION

To express sincere and heartfelt condolences upon the death of Leslie Remi Lavergne of Baton Rouge.

HOUSE CONCURRENT RESOLUTION NO. 24— BY REPRESENTATIVE QUEZAIRE

A CONCURRENT RESOLUTION

To memorialize the United States Congress to take such actions as are necessary to remove the TRIO programs Upward Bound and Talent Search from the list of programs to be eliminated in the 2007 budget and to memorialize congress to continue the funding of such programs.

HOUSE CONCURRENT RESOLUTION NO. 25— BY REPRESENTATIVE ERDEY AND SENATOR FONTENOT

A CONCURRENT RESOLUTION

To commend and celebrate the accomplishments of Kevin M. Jones, Jr. of the Boy Scouts of America on the memorable and historic occasion of his attainment of the prestigious rank of Eagle Scout.

HOUSE CONCURRENT RESOLUTION NO. 26— BY REPRESENTATIVES FANNIN AND WALSWORTH AND SENATOR KOSTELKA

A CONCURRENT RESOLUTION

To commend Trooper Michael Linton of Troop F in Monroe upon being named Louisiana State Police Uniformed Trooper of the Year and to express gratitude for his embodiment of the Louisiana State Police motto of "Courtesy, Loyalty, and Service".

HOUSE CONCURRENT RESOLUTION NO. 27— BY REPRESENTATIVE BADON

A CONCURRENT RESOLUTION

To commend the Louisiana Campus Compact and encourage participation in its programs.

HOUSE CONCURRENT RESOLUTION NO. 32— BY REPRESENTATIVE PINAC

A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to designate Louisiana Highway 13 in Acadia Parish as a Blue Star Memorial Highway in honor of the citizens of Acadia Parish who have served, are now serving, or will serve in the armed forces of the United States and to authorize placement of a Blue Star Memorial Highway monument along this route.

HOUSE CONCURRENT RESOLUTION NO. 33—

BY REPRESENTATIVE KATZ
A CONCURRENT RESOLUTION

To memorialize the United States Congress to take such actions as are necessary to secure our nation's borders, identify and deport immigration violators, preclude automatic citizenship for children born of such violators, and revise the work visa program.

HOUSE CONCURRENT RESOLUTION NO. 35—

BY REPRESENTATIVE HAMMETT
A CONCURRENT RESOLUTION

To commend the Department of Wildlife and Fisheries and the Wildlife and Fisheries Commission for their efforts to promote hunting and fishing activities for the youth in our state.

HOUSE CONCURRENT RESOLUTION NO. 36—

BY REPRESENTATIVE WALSWORTH
A CONCURRENT RESOLUTION

To commend Theodore "Dutch" Van Kirk and recognize Saturday, April 29, 2006, as Theodore "Dutch" Van Kirk Day.

HOUSE CONCURRENT RESOLUTION NO. 37—

BY REPRESENTATIVE WALSWORTH
A CONCURRENT RESOLUTION

To commend Chuck Finley upon his selection for induction into the Louisiana Sports Hall of Fame in June of 2006.

HOUSE CONCURRENT RESOLUTION NO. 38—

BY REPRESENTATIVE HUTTER
A CONCURRENT RESOLUTION

To memorialize the United States Congress to take such actions as are necessary to immediately close the Mississippi River Gulf Outlet and to request that the Louisiana congressional delegation file the necessary legislation to accomplish this closure.

HOUSE CONCURRENT RESOLUTION NO. 39—

BY REPRESENTATIVES MCVEA, HONEY, AND WHITE AND SENATOR BROOME
A CONCURRENT RESOLUTION

To commend the Zachary Community School District upon receiving the highest district performance score in the state for the 2004-2005 school year and to recognize the district for its dedication to academic excellence.

HOUSE CONCURRENT RESOLUTION NO. 40—

BY REPRESENTATIVE HONEY AND SENATOR BROOME
A CONCURRENT RESOLUTION

To commend the members of the Southern University women's basketball team and their coaches and staff for their outstanding achievements during the 2005-2006 season, which included the Southwestern Athletic Conference championship and their advancement to the National Collegiate Athletic Association tournament.

HOUSE CONCURRENT RESOLUTION NO. 41—

BY REPRESENTATIVES HONEY, ALARIO, ALEXANDER, ANSARDI, ARNOLD, BADON, BALDONE, BARROW, BAUDOIN, BAYLOR, BEARD, BOWLER, BRUCE, BRUNEAU, BURNS, BURRELL, K. CARTER, R. CARTER, CAZAYOUX, CRANE, CRAVINS, CROWE, CURTIS, DAMICO, DANIEL, DARTEZ, DEWITT, DOERGE, DORSEY, DOVE, DOWNS, DURAND, ERDEY, FANNIN, FARRAR, FAUCHEUX, FRITH, GALLOT, GEYMANN, GLOVER, GRAY, GREENE, E. GUILLORY, M. GUILLORY, HAMMETT, HARRIS, HEATON, HEBERT, HILL, HOPKINS, HUNTER, HUTTER, JACKSON, JEFFERSON, JOHNS, KATZ, KENNARD, KENNEY, KLECKLEY, LABRUZZO, LAFLEUR, LAFONTA, LAMBERT, LANCASTER, MARCHAND, MARTINY, MCDONALD, MCVEA, MONTGOMERY, MORRELL, MORRISH, ODINET, PIERRE, PINAC, PITRE, M. POWELL, T. POWELL, QUEZAIRE, RICHMOND, RITCHIE, ROBIDEAUX, ROMERO, SALTER, SCALISE, SCHNEIDER, SMILEY, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOOMY, TOWNSEND, TRAHAN, TRICHE, TUCKER, WADDELL, WALKER, WALSWORTH, WHITE, WINSTON, AND WOOTON
A CONCURRENT RESOLUTION

To commend the members of the Southern University men's basketball team and their coaches and staff for their outstanding achievements during the 2005-2006 season, which included the Southwestern Athletic Conference championship and their advancement to the National Collegiate Athletic Association tournament.

HOUSE CONCURRENT RESOLUTION NO. 42—

BY REPRESENTATIVE GALLOT
A CONCURRENT RESOLUTION

To express sincere and heartfelt condolences upon the death of Dr. Charles A. Berry of Grambling.

HOUSE CONCURRENT RESOLUTION NO. 43—

BY REPRESENTATIVE LAFLEUR
A CONCURRENT RESOLUTION

To commend the Council for the Development of French in Louisiana upon its acceptance of the Venet d'Or de la Francophonie from the International Organization of la Francophonie on behalf of the state of Louisiana, to recognize the tremendous pride that the receipt of this award brings to the citizens of Louisiana, and to express enduring gratitude to the International Organization of la Francophonie for this singular honor.

HOUSE CONCURRENT RESOLUTION NO. 44—

BY REPRESENTATIVE FANNIN
A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to designate U.S. Highway 167 within Jackson Parish as a Blue Star Memorial Highway in honor of the citizens of Jackson Parish who have served, are now serving, or will serve in the armed forces of the United States and to authorize placement of a Blue Star Memorial Highway monument along this route.

HOUSE CONCURRENT RESOLUTION NO. 45—

BY REPRESENTATIVES CROWE, ALARIO, ALEXANDER, ANSARDI, ARNOLD, BADON, BALDONE, BARROW, BAUDOIN, BAYLOR, BEARD, BOWLER, BRUCE, BRUNEAU, BURNS, BURRELL, K. CARTER, R. CARTER, CAZAYOUX, CRANE, CRAVINS, CURTIS, DAMICO, DANIEL, DARTEZ, DEWITT, DOERGE, DORSEY, DOVE, DOWNS, DURAND, ERDEY, FANNIN, FARRAR, FAUCHEUX, FRITH, GALLOT, GEYMANN, GLOVER, GRAY, GREENE, E. GUILLORY, M. GUILLORY, HAMMETT, HARRIS, HEATON, HEBERT, HILL, HONEY, HOPKINS, HUNTER, HUTTER, JACKSON, JEFFERSON, JOHNS, KATZ, KENNARD, KENNEY, KLECKLEY, LABRUZZO, LAFLEUR, LAFONTA, LAMBERT, LANCASTER, MARCHAND, MARTINY, MCDONALD, MCVEA, MONTGOMERY, MORRELL, MORRISH, ODINET, PIERRE, PINAC, PITRE, M. POWELL, T. POWELL, QUEZAIRE, RICHMOND, RITCHIE, ROBIDEAUX, ROMERO, SALTER, SCALISE, SCHNEIDER, SMILEY, GARY SMITH, JACK SMITH, JANE SMITH, JOHN SMITH, ST. GERMAIN, STRAIN, THOMPSON, TOOMY, TOWNSEND, TRAHAN, TRICHE, TUCKER, WADDELL, WALKER, WALSWORTH, WHITE, WINSTON, AND WOOTON AND SENATOR DUPLESSIS
A CONCURRENT RESOLUTION

To urge and request the Federal Emergency Management Agency to finalize and issue floodplain maps for all those parishes in Louisiana affected by Hurricanes Katrina and Rita as soon as possible.

HOUSE CONCURRENT RESOLUTION NO. 46—

BY REPRESENTATIVE DURAND
A CONCURRENT RESOLUTION

To request that the Department of Transportation and Development designate the portion of the Interstate 49 South corridor in St. Martin Parish as "Veterans Memorial Expressway" and erect proper signage along this route reflecting this designation.

HOUSE CONCURRENT RESOLUTION NO. 48—

BY REPRESENTATIVE ALEXANDER
A CONCURRENT RESOLUTION

To request that the Department of Transportation and Development designate the portion of the Interstate 49 South corridor in Lafayette Parish as "Veterans Memorial Expressway" and erect proper signage along this route reflecting this designation.

HOUSE CONCURRENT RESOLUTION NO. 50—

BY REPRESENTATIVE TOWNSEND AND SENATOR SMITH
A CONCURRENT RESOLUTION

To commend Jim Pierson upon his receipt of the second annual Humanitarian Award from the Holy Cross Council 13912 of the Louisiana Knights of Columbus.

April 4, 2006

HOUSE CONCURRENT RESOLUTION NO. 52—
BY REPRESENTATIVE GLOVER
A CONCURRENT RESOLUTION

To commend and welcome Tsiguia Aliancea, Chief of the Village of Fokamezo, upon the historic occasion of his visit to Louisiana and to the legislature.

HOUSE CONCURRENT RESOLUTION NO. 53—
BY REPRESENTATIVE GLOVER
A CONCURRENT RESOLUTION

To commend and welcome Tefouet Francois, Chief of the Village of Baghonto, upon the historic occasion of his visit to Louisiana and to the legislature.

HOUSE CONCURRENT RESOLUTION NO. 54—
BY REPRESENTATIVE GLOVER
A CONCURRENT RESOLUTION

To commend and welcome Nkeumbeng Tsobze Norbert, Chief of the Village of Baletet, upon the historic occasion of his visit to Louisiana and to the legislature.

HOUSE CONCURRENT RESOLUTION NO. 55—
BY REPRESENTATIVE GLOVER
A CONCURRENT RESOLUTION

To commend and welcome Solefack Fossokeng II Simon, Chief of the Village of Batseng'la, upon the historic occasion of his visit to Louisiana and to the legislature.

HOUSE CONCURRENT RESOLUTION NO. 56—
BY REPRESENTATIVE GLOVER
A CONCURRENT RESOLUTION

To commend and welcome Gatsi Celestin, Chief of the Village of Bawouwoua, upon the historic occasion of his visit to Louisiana and to the legislature.

HOUSE CONCURRENT RESOLUTION NO. 58—
BY REPRESENTATIVES JOHNS, GEYMAN, E. GUILLORY, KLECKLEY,
AND MORRISH AND SENATORS CAIN, MOUNT, AND THEUNISSE
A CONCURRENT RESOLUTION

To commend Evelyn Chamblee upon her retirement from Our Lady's Catholic School in Sulphur after forty-three years of dedicated and highly productive service, to recognize and record her myriad accomplishments and her remarkable contributions to the school and to her students, colleagues, family, friends, and community, and to extend to her the best wishes of the legislature as she embarks upon new challenges and endeavors.

HOUSE CONCURRENT RESOLUTION NO. 60—
BY REPRESENTATIVES PIERRE, DANIEL, AND JOHN SMITH
A CONCURRENT RESOLUTION

To commend Robert H. Baumann on receipt of the lifetime achievement award from the Louisiana Independent Oil & Gas Association (LIOGA) at its 2006 annual meeting.

and asked that the President of the Senate affix his signature to the same.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

The House Concurrent Resolutions contained herein were signed by the President of the Senate.

Leaves of Absence

The following leaves of absence were asked for and granted:

Dardenne 1 Day

Adjournment

Senator Bajoie moved that the Senate adjourn until Wednesday, April 5, 2006, at 3:00 o'clock P.M.

The President of the Senate declared the Senate adjourned until 3:00 o'clock P.M. on Wednesday, April 5, 2006.

GLENN A. KOEPP
Secretary of the Senate

GAYE F. HAMILTON
Journal Clerk